A/CONF.189/12 (Part II)

Report of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

Durban, 31 August - 8 September 2001

GE.01-15795 (E) 261001 291001

CONTENTS

Chapter		Page
II.	ATTENDANCE AND ORGANIZATION OF WORK	4
	A. Date and place of the Conference	4
	B. Opening of the Conference	4
	C. Attendance	4
	D. Election of the President of the Conference	11
	E. Opening address	12
	F. Messages from heads of State and other personalities	12
	G. Adoption of the rules of procedure	12
	H. Election of officers other than the President	12
	I. Adoption of the agenda of the Conference	13
	J. Organization of work, including establishment of the Main Committee and the Drafting Committee of the Conference and its two working groups (Working Group on the Draft Declaration and Working Group on the Draft Programme of Action)	14
	K. Appointment of the members of the Credentials Committee	14
	L. Other matters	14
III.	GENERAL DEBATE	15
IV.	REPORT OF THE MAIN COMMITTEE	25
V.	REPORT OF THE DRAFTING COMMITTEE	33
VI.	REPORT OF THE CREDENTIALS COMMITTEE	35
VII.	ADOPTION OF THE FINAL DOCUMENT AND THE REPORT OF THE CONFERENCE	38
VIII.	CLOSURE OF THE CONFERENCE	60

CHAPTER II. ATTENDANCE AND ORGANIZATION OF WORK

A. Date and place of the Conference

1. The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance was held at Durban, South Africa, from 31 August to 8 September 2001, in conformity with General Assembly resolution 52/111 of 12 December 1997. During that period the Conference held 20 plenary meetings.

B. Opening of the Conference

2. The Conference was declared opened by the Secretary-General of the United Nations, Mr. Kofi Annan. The inaugural address of the Secretary-General is contained in annex II to the present report.

C. Attendance

3. The following States were represented at the Conference:

Afghanistan
Albania
Algeria
Andorra
Angola
Argentina
Armenia
Australia
Austria
Azerbaijan
Bahamas
Bahrain
Bangladesh
Barbados
Belarus
Belgium
Belize
Benin
Bhutan
Bolivia
Bosnia and Herzegovina
Botswana
Brazil
Brunei Darussalam

Bulgaria
Burkina Faso
Burundi
Cambodia
Cameroon
Canada
Cape Verde
Central African Republic
Chad
Chile
China
Colombia
Comoros
Congo
Costa Rica
Côte d'Ivoire
Croatia
Cuba
Cyprus
Czech Republic
Democratic People's Republic of Korea
Democratic Republic of the Congo
Denmark
Dominican Republic
Ecuador
Egypt
El Salvador
Equatorial Guinea
Eritrea
Estonia
Ethiopia
Fiji
Finland
France
Gabon
Gambia
Georgia
Germany
Ghana
Greece
Guatemala
Guinea
Guinea-Bissau
Guyana
Haiti

Holy See
Honduras
Hungary
Iceland
India
Indonesia
Iran (Islamic Republic of)
Iraq
Ireland
Israel
Italy
Jamaica
Japan
Jordan
Kazakhstan
Kenya
Kuwait
Kyrgyzstan
Lao People's Democratic Republic
Latvia
Lebanon
Lesotho
Liberia
Libyan Arab Jamahiriya
Liechtenstein
Lithuania
Luxembourg
Madagascar
Malawi
Malaysia
Mali
Malta
Mauritania
Mauritius
Mexico
Mongolia
Morocco
Mozambique
Myanmar
Namibia
Nepal
Netherlands
New Zealand
Nicaragua
Niger

Nigeria
Norway
Oman
Pakistan
Panama
Paraguay
Peru
Philippines
Poland
Portugal
Qatar
Republic of Korea
Republic of Moldova
Romania
Russian Federation
Rwanda
Saint Vincent and the Grenadines
Saudi Arabia
Senegal
Seychelles
Sierra Leone
Singapore
Slovakia
Slovenia
Solomon Islands
Somalia
South Africa
Spain
Sri Lanka
Sudan
Suriname
Swaziland
Sweden
Switzerland
Syrian Arab Republic
Tajikistan
Thailand
The former Yugoslav Republic of Macedonia
Togo
Trinidad and Tobago
Tunisia
Turkey
Tuvalu
Uganda
Ukraine

United Arab Emirates
United Kingdom of Great Britain and Northern Ireland
United Republic of Tanzania
United States of America
Uruguay
Venezuela
Viet Nam
Yemen
Yugoslavia
Zambia
Zimbabwe

4. On Monday, 3 September 2001, the delegations of Israel and the United States of America withdrew from the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

5. The following other entities were represented:

Palestine

6. The following organizations that have received a standing invitation from the General Assembly to participate as observers in the sessions and work of all international conferences held under the auspices of the General Assembly were represented at the Conference:

Andean Community
Asian-African Legal Consultative Organization
Commonwealth Secretariat
Community of Portuguese-Speaking Countries
Council of Europe
European Community
European Bank for Reconstruction and Development
Inter-American Development Bank
International Committee of the Red Cross
International Federation of Red Cross and Red Crescent Societies
International Organization for Migration
International Organization of la Francophonie
League of Arab States
Organization of African Unity
Organization of American States
Organization of the Islamic Conference
Southern African Development Community
Sovereign Military Order of Malta

7. The following associate members of regional commissions were represented:

United States Virgin Islands

8. The following specialized agencies were represented:

International Labour Organization
International Monetary Fund
United Nations Educational, Scientific and Cultural Organization
World Bank
World Health Organization
World Intellectual Property Organization

9. The following intergovernmental organizations and other entities were represented:

The International Olympic Committee

10. The following United Nations organs, bodies, programmes and relevant mechanisms, including human rights bodies and mechanisms were represented:

(a) United Nations programmes and funds

Office of the United Nations High Commissioner for Refugees
United Nations Children's Fund
United Nations Development Programme
United Nations Development Fund for Women
United Nations Environment Programme
United Nations Population Fund

(b) Other United Nations entities

United Nations Centre for Human Settlements (Habitat)
United Nations University

(c) Research and training institutes

United Nations Institute for Training and Research
United Nations Research Institute for Social Development

(d) Regional commissions

Economic Commission for Africa
Economic Commission for Europe
Economic Commission for Latin America and the Caribbean
Economic and Social Commission for Western Asia

(c) Human rights bodies and mechanisms

Commission on Human Rights
Sub-Commission on the Promotion and Protection of Human Rights
Human Rights Committee
Committee against Torture
Committee on the Elimination of Discrimination against Women
Committee on the Elimination of Racial Discrimination
Committee on the Rights of the Child
Working Group on Indigenous Populations of the Sub-Commission on the Promotion and Protection of Human Rights
Working Group on Minorities of the Sub-Commission on the Promotion and Protection of Human Rights
Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance
Special Rapporteur of the Commission on Human Rights on freedom of religion or belief
Special Rapporteur of the Commission on Human Rights on the human rights of migrants
Special Rapporteur of the Commission on Human Rights on the promotion and protection of the right to freedom of opinion and expression
Special Rapporteur of the Commission on Human Rights on the situation of human rights and fundamental freedoms of indigenous people
Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences
Special Rapporteur of the Commission on Human Rights on human rights and extreme poverty

11. The following national human rights institutions were represented:

Canadian Human Rights Commission
Centre de promotion des droits de la personne humaine et prévention du génocide, Burundi
Comisionado Nacional de los Derechos Humanos, Honduras
Comité Sénegalais des droits de l'homme
Comité superieur des droits de l'homme et des libertés fondamentales, Tunisia
Commissariat aux droits de l'homme a la lutte contre la pauvrete et l'insertion, Mauritania
Commission féderale contre le racisme, Switzerland
Commission national des droits de l'homme du Togo
Commission nationale consultative des droits de l'homme, France
Commission nationale des droits de l'homme et des libertés fondamentales, Niger
Commission nationale des droits de l'homme, Chad
Commission nationale des droits de l'homme, Madagascar
Commission nationale des droits de l'homme, Rwanda
Commission nationale pour les droits de l'homme, Greece
Commission on Human Rights and Administrative Justice, Ghana

Commission on Human Rights, Philippines
Conseil consultatif des droits de l'homme, Morocco
Danish Center for Human Rights
Defensoria del Pueblo de Colombia
Defensoria del Pueblo, Peru
Defensoria del Pueblo, Venezuela
Defensor de Pueblo de Argentina
Fiji Human Rights Commission
Human Rights and Equal Opportunity Commission, Australia
Human Rights Commission of Ireland
Human Rights Commission of Malaysia
Human Rights Commission, Mauritius
Human Rights Commission, New Zealand
Human Rights Commission, Sri Lanka
Malawi Human Rights Commission
Mexican National Human Rights Commission
National Commission on Human Rights and Freedoms, Cameroon
National Commission on Human Rights, Indonesia
National Human Rights Commission, India
National Human Rights Commission, Nepal
National Human Rights Commission, Nigeria
National Ombudsman of Ukraine
Office of Public Defender of Georgia
Ombudsman against Ethnic Discrimination, Sweden
Permanent Human Rights Commission, Zambia
Procuraduria de los Derechos Humanos de Guatemala
Republic of Albania People's Advocate
South African Human Rights Commission
Standing Committee on Human Rights, Kenya
The Danish Board for Ethnic Equality
The National Human Rights Commission of Mongolia
The Palestinian Independent Commission for Citizen's Rights
Uganda Human Rights Commission

12. A large number of non-governmental organizations attended the Conference. The list of non-governmental organizations accredited to participate in the Conference is contained in document A/CONF.189/INF.1. Information on parallel and associated activities, including those organized by non-governmental organizations, is contained in annex V to the present report.

D. Election of the President of the Conference

13. At the 1st plenary meeting, on 31 August 2001, the Conference elected, by acclamation, as President of the Conference, Her Excellency Dr. Nkosazana Dlamini Zuma (South Africa). The inaugural address of the President of the Conference is contained in annex II to the present report.

E. Opening addresses

14. Opening addresses were made by the President of the Republic of South Africa, His Excellency Mr. Thabo Mbeki; the President of the General Assembly, Mr. Harri Holkeri; and the Secretary-General of the World Conference, Mrs. Mary Robinson. Their opening addresses are contained in annex II to the present report.

F. Messages from heads of State and other personalities

15. The Conference received congratulatory messages from His Excellency Mr. Zine El Abidine Ben Ali, President of the Republic of Tunisia, and His Excellency Mr. Nelson Mandela, former President of the Republic of South Africa.

G. Adoption of the rules of procedure

16. At the 1st plenary meeting, on 31 August 2001, the Conference adopted as its rules of procedure the provisional rules of procedure (A/CONF.189/2), as recommended by the Preparatory Committee for the Conference at its first session in its decision PC.1/4 of 4 May 2000.

H. Election of officers other than the President

17. At the 1st and 2nd plenary meetings, on 31 August and 1 September 2001, the Conference, in accordance with rule 17 of its rules of procedure, elected the following other officers:

21 Vice-Presidents (by regional groups):

African States: Kenya, Nigeria, Senegal, Tunisia
Asian States: China, India, Iraq, Pakistan
Eastern European States: Armenia, Azerbaijan, Bulgaria, Croatia, Slovakia
Latin American and Caribbean States: Barbados, Chile, Cuba, Mexico
Western European and other States: Belgium, Canada, Norway, Sweden

Rapporteur-General of the World Conference:

Ms. Edna Maria Santos Roland (Brazil)

Main Committee:

Chairperson: Mr. Claudio Moreno (Italy)

Drafting Committee:

Chairperson: Mr. Ali Khorram (Islamic Republic of Iran)

I. Adoption of the agenda of the Conference

18. At the 1st plenary meeting, on 31 August 2001, the Conference adopted as its agenda the provisional agenda (A/CONF.189/1), as recommended by the Preparatory Committee for the Conference at its third session in its decision PC.3/2 of 10 August 2001, and as revised by the Conference. The agenda as adopted is as follows:

1. Opening of the Conference.

2. Election of the President.

3. Opening addresses.

4. Adoption of the rules of procedure.

5. Election of the other officers of the Conference.

6. Credentials of representatives to the Conference.

   (a) Appointment of the Credentials Committee;

   (b) Report of the Credentials Committee.

7. Adoption of the agenda.

8. Organization of work.

9. Conference themes:

   Sources, causes, forms and contemporary manifestations of racism, racial discrimination, xenophobia and related intolerance;

   Victims of racism, racial discrimination, xenophobia and related intolerance;

   Measures of prevention, education and protection aimed at the eradication of racism, racial discrimination, xenophobia and related intolerance at the national, regional and international levels;

   Provision of effective remedies, recourse, redress, compensatory* and other measures at the national, regional and international levels;

---

* The use of the word "compensatory" is without prejudice to any outcome of this Conference.

Strategies to achieve full and effective equality, including international cooperation, and enhancement of United Nations and other international mechanisms in combating racism, racial discrimination, xenophobia and related intolerance, and follow-up.

10. Adoption of the final document and the report of the Conference.

J. Organization of work, including establishment of the Main Committee and the Drafting Committee of the Conference and its two working groups (Working Group on the Draft Declaration and Working Group on the Draft Programme of Action)

19. At the 1st plenary meeting, on 31 August 2001, in conformity with rule 47 of the rules of procedure of the Conference, the Conference established the Main Committee and the Drafting Committee, including its two working groups: the Working Group on the Draft Declaration and the Working Group on the Draft Programme of Action.

K. Appointment of the members of the Credentials Committee

20. At the 1st plenary meeting, on 31 August 2001, in conformity with rule 4 of its rules of procedure, the Conference established a Credentials Committee composed of the following States: Bahamas, China, Ecuador, Gabon, Ireland, Mauritius, Russian Federation, Thailand, United States of America.

L. Other matters

21. The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance concluded its work on 8 September 2001. It was initially scheduled to end on 7 September 2001.

CHAPTER III. GENERAL DEBATE

1. At its 2nd to 19th meetings, held from 1 to 7 September 2001, the Conference held a general debate on agenda item 9 relating to the following themes: (i) sources, causes, forms and contemporary manifestations of racism, racial discrimination, xenophobia and related intolerance; (ii) victims of racism, racial discrimination, xenophobia and related intolerance; (iii) measures of prevention, education and protection aimed at the eradication of racism, racial discrimination, xenophobia and related intolerance at the national, regional and international levels; (iv) provision of effective remedies, recourse, redress, compensatory* and other measures at the national, regional and international levels; (v) strategies to achieve full and effective equality, including international cooperation, and enhancement of United Nations and other international mechanisms in combating racism, racial discrimination, xenophobia and related intolerance, and follow-up.

2. Representatives of States and other entities, intergovernmental organizations, regional commissions and associate members of regional commissions, specialized agencies, United Nations organs, bodies and programmes and relevant mechanisms, including human rights bodies and mechanisms, national human rights institutions and non-governmental organizations addressed the Conference.

3. At the 2nd meeting, on 1 September, the Conference heard statements by the President of State of the Republic of Latvia, H.E. Ms. Vaira Vike-Freiberga; the President of the Democratic People's Republic of Algeria, H.E. Mr. Abdelaziz Bouteflika; the President of the Federal Republic of Nigeria, H.E. Chief Olusegun Obasanjo; the President of the Republic of Senegal, H.E. Mr. Abdoulaye Wade; the President of the Republic of Cape Verde, H.E. Mr. Pedro Pires; the President of the Togolese Republic, H.E. Mr. Gnassingbe Eyadema; the President of the Republic of Cuba, H.E. Mr. Fidel Castro; the President of the Republic of the Congo, H.E. Mr. Denis Sassou Nguesso; the President of the Republic of Uganda, H.E. Mr. Yoweri Kaguta Museveni; the Prime Minister of the Republic of Mozambique, H.E. Mr. Pascoal Mocumbi; the Vice-President of the Gabonese Republic, H.E. Mr. Didjob Divungi Di Ndinge; and the President of the Palestinian Authority, H.E. Mr. Yasser Arafat.

4. At the 3rd meeting, on 1 September, the Conference heard statements by the Second Vice-President of the Republic of Panama, H.E. Mr. Dominador Kaiser Bazan; the Deputy Prime Minister and Minister for Foreign Affairs of Belgium, H.E. Mr. Louis Michel (on behalf of the European Union; Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia and Turkey aligned themselves with the statement); the Minister of Industry, Employment and Communications of Sweden, H.E. Ms. Mona Sahlin; the Deputy Prime Minister of Croatia, H.E. Ms. Jeljka Antunovic; the Deputy Prime Minister of Slovakia, H.E. Mr. Lubomir Fogas; the Minister of Planning and Cooperation of Chile, H.E. Ms. Alejandra Krauss Valle; the Minister for Foreign Affairs and Cooperation of Mauritania, H.E. Mr. Dah Ould Abdi; the Minister for Foreign Affairs of the Federal Republic of Germany, H.E. Mr. Joschka Fischer; the Minister for Foreign Affairs of the

---

* The use of the word "compensatory" is without prejudice to any outcome of this Conference.

Principality of Liechtenstein, H.E. Mr. Ernst Walch; the Minister in charge of Treaty of Waitangi Negotiations; Associate Minister of Justice of New Zealand, H.E. Ms. Margaret Wilson; and the Minister for Justice, Equality and Law Reform of Ireland, H.E. Mr. John O'Donoghue.

5. At the same meeting, statements were made by the Chairperson of the fifty-seventh session of the Commission on Human Rights, Mr. Leandro Despouy; the Administrator of the United Nations Development Programme, Mr. Mark Malloch Brown; and the United Nations High Commissioner for Refugees, Mr. Ruud Lubbers.

6. At the 4th meeting, on 1 September, the Conference heard statements by the Federal Minister for Foreign Affairs of Yugoslavia, H.E. Mr. Goran Svilanovic; the Minister Delegate for Cooperation and Francophonie of France, H.E. Mr. Charles Josselin; the Minister of Labour of Finland, H.E. Ms. Tarja Filatov; the Minister for Foreign Affairs of Slovenia, H.E. Dr. Dimitrij Rupel; the Minister for Foreign Affairs of Italy, H.E. Mr. Renato Ruggiero; the Minister for Foreign Affairs and Regional Cooperation of Mauritius, H.E. Mr. Anil K. Gayan; the Minister of the Interior of Denmark, H.E. Ms. Karen Jespersen; the Minister of Social Affairs of Iceland, H.E. Mr. Pall Petursson; the Minister of Justice of the United Arab Emirates, H.E. Mr. Mohammed bin Nukhaira Al Dahri; the Minister for Foreign Affairs of the Islamic Republic of Iran, H.E. Dr. Kamal Kharrazi; the Minister for Foreign Affairs of Andorra, H.E. Mr. Juli Minoves-Triquell; the Minister for Foreign Affairs of Haiti, H.E. Mr. Joseph Philippe Antonio; the Minister for Social Affairs of Nicaragua, H.E. Ms. Jamileth Bonilla; the Minister for Ethnic Affairs of Estonia, H.E. Ms. Katrin Saks; the Minister of Justice of Brazil, H.E. Mr. José Gregori; the Alternate Minister for Foreign Affairs of Greece, H.E. Ms. Elissavet Papazoi; and the Special Envoy of the President of the Republic of Sri Lanka and Deputy Chairman of the National Planning Commission of Sri Lanka, H.E. Mr. Lakshman Jayakody.

7. At the same meeting, statements were made by the Executive Director of the United Nations Children's Fund, Ms. Carol Bellamy.

8. At the 5th meeting, on 1 September, the Conference heard statements by the Minister of Labour and Social Affairs of Spain, H.E. Mr. Juan Carlos Aparicio Perez; the Minister for Foreign Affairs of Pakistan, H.E. Mr. Abdul Sattar; the Minister of Justice of Ethiopia, H.E. Mr. Worede-Wold Wolde; the Minister of Communication and Spokesman of the Government of Burundi, H.E. Mr. Luc Rukingama; the Minister of Justice and Human Rights of Argentina, H.E. Dr. Jorge Enrique de la Rua; the Secretary of State of Canada (Multiculturalism) (Status of Women), H.E. The Honourable Hedy Fry; the Minister Delegate to the Prime Minister in charge of Human Rights, Communications and Relations with the Chamber of Deputies of Tunisia, H.E. Mr. Slaheddine Maaoui; the State Secretary in the Ministry of Foreign Affairs of Romania, H.E. Mr. Mihnea Motoc; the Vice-Minister for Foreign Affairs of Austria, H.E. Mr. Albert Rohan; the Vice-Minister for Foreign Affairs of Poland, H.E. Ms. Grazyna Bernatowicz; the Vice-Minister for Foreign Affairs of Lithuania, H.E. Dr. Oskaras Jusys; the Vice-Minister for Foreign Affairs of the Lao People's Democratic Republic, H.E. Mr. Phongsavath Boupha; the Parliamentary Secretary to the Minister for

Immigration and Multicultural Affairs of Australia, H.E. The Honourable Senator Kay Paterson; the Under-Secretary of the Ministry of Foreign Affairs of Oman, H.E. Mr. Sayyid Badr Hamad al Bu Saidi; the Senior Parliamentary Secretary for Foreign Affairs of Singapore, H.E. Mr. Zainul Abidin Mohamed Rasheed; and the Permanent Representative of Jordan to the United Nations Office at Geneva, H.E. Mr. Shihan Madi.

9. At the same meeting, statements in exercise of the right of reply were made by the representatives of Greece and Turkey.

10. At the 6th meeting, on 2 September, the Conference heard statements by the Chair of the Presidency of Bosnia and Herzegovina, H.E. Mr. Jozo Krizanovic; the Deputy President of the Republic of South Africa, H.E. Mr. Jacob Zuma; the Deputy Prime Minister and Minister for Foreign Affairs of the Czech Republic, H.E. Mr. Jan Kavan; the Minister for Foreign Affairs and Cooperation of Morocco, H.E. Mr. Mohamed Benaissa; the representative of the Ministry of Foreign Affairs of Armenia, H.E. Mr. Vahram Kazhoyan, on behalf of the Minister for Foreign Affairs of Armenia, H.E. Mr. Vartan Oskanian; the Minister for Foreign Affairs of Egypt, H.E. Mr. Ahmed Maher El Sayed; the Minister of Justice and Human Rights of Indonesia, H.E. Mr. Yusril Ihza Mahendra; the Minister for Home Affairs of Bhutan, H.E. Mr. Lyonpo Thinley Gyamtsho; the Minister of State for Foreign Affairs of Kuwait, H.E. Sheikh Dr. Mohammed Sabah Al-Salem Al-Sabah; and the Minister for Foreign Affairs and African Integration of Benin, H.E. Mr. Kolawolé A. Idji.

11. At the same meeting, statements were made by the Secretary-General of the League of Arab States, H.E. Mr. Amre Moussa; and the Deputy Secretary-General of the Organization of African Unity, H.E. Mr. Said Djinnit.

12. Also at the 6th meeting, statements were made by the President of the Economic and Social Council, Mr. Martin Belinga-Eboutou; and the Vice-President of the World Bank for United Nations External Affairs, Mr. Mats Karlsson.

13. At the 7th meeting, on 2 September, the Conference heard statements by the Vice-President of the Republic of Zambia, H.E. The Honourable Enoch P. Kavindele; the Deputy Prime Minister of the Kingdom of Swaziland, H.E. The Honourable Arthur R.V. Khoza; the Vice-Prime Minister, Minister for Foreign Affairs and External Trade of Luxembourg, H.E. Ms. Lydie Polfer; the Minister for Foreign Affairs and International Cooperation of the United Republic of Tanzania, H.E. The Honourable Jakaya M. Kikwete; the Minister for Foreign Affairs and International Cooperation of Kenya, H.E. The Honourable Christopher M. Obure; the Minister for Foreign Affairs of Lesotho, H.E. The Honourable Motsoahae Thomas Thabane; the Minister of State for External Affairs of India, H.E. Mr. Omar Abdullah; the Minister of Gender Equality of the Republic of Korea, H.E. Ms. Han Myeong-Sook; the Minister of Justice and Public Order of Cyprus, H.E. Mr. Nicos Koshis; the Minister of Justice of the Sudan, H.E. Mr. Ali Mohamed Osman Yasin; the Minister for Foreign Affairs of Venezuela, H.E. Mr. Luis Alfonso Dávila García; the Minister for Foreign Affairs of Malawi, H.E. The Honourable Lilian E. Patel; and the Minister for Foreign Affairs of the Syrian Arab Republic, H.E. Mr. Farouk Al-Shara.

14. At the same meeting, a statement was made by the Director-General of the International Labour Organization, Mr. Juan Somavia.

15. Also at the 7th meeting, statements in exercise of the right of reply were made by the representatives of Armenia, Azerbaijan and Turkey.

16. At the 8th meeting, on 2 September, the Conference heard statements by the Deputy Minister for Foreign Affairs of Angola, H.E. Mr. Georges Chikoti; the Permanent Secretary, Ministry of Foreign Affairs of Jamaica, H.E. Mr. Stafford Neil; the President of the Citizen Studies Commission against Discrimination of Mexico, H.E. Mr. Gilberto Rincón Gallardo; the Minister for Africa of the United Kingdom of Great Britain and Northern Ireland, Baroness Amos of Brondesbury; the Minister for Urban Policy and Integration of Ethnic Minorities of the Netherlands, H.E. Mr. Roger van Boxtel; the Minister for Foreign Affairs of Eritrea, H.E. Mr. Ali Said Abdella; the Minister of Justice of Namibia, H.E. The Honourable Dr. Ernst N. Tjiriange; the Minister for Foreign Affairs of Afghanistan, H.E. Dr. A. Abdullah; the Minister of Justice and Public Liberty of Côte d'Ivoire, H.E. Mr. Oulaï Siene; the Minister for Human Rights of the Democratic Republic of the Congo, H.E. Mr. Ntumba Luaba Lumu; the Secretary of State for the Promotion of Human Rights of Burkina Faso, H.E. Ms. Monique Ilboudo; the Vice-Minister for Foreign Affairs of the People's Republic of China, H.E. Mr. Wang Guangya; the Parliamentary Secretary for Foreign Affairs of Japan, H.E. Ms. Kaori Maruya; the State Secretary for Foreign Affairs of Hungary, H.E. Mr. Iván Bába; the Deputy Minister for Foreign Affairs of Saudi Arabia, His Highness Prince Torki bin Mohammed Al-Kaber; the Deputy Minister for Foreign Affairs of the Russian Federation, H.E. Mr. Serguei Ordzhonikidze.

17. At the same meeting, a statement was made by the Director-General of the European Commission, Ms. Odile Quintin (on behalf of the European Community).

18. At the 9th meeting, on 3 September, the Conference heard statements by the Minister of International Development of Norway, H.E. Ms. Anne Kristin Sydnes; the High Commissioner of Belize to the United Kingdom, H.E. Mr. Assad Shoman; the Vice-Minister for Foreign Affairs of Costa Rica, H.E. Ms. Elayne Whyte Gómez; the State Secretary, Ministry for Foreign Affairs of the former Yugoslav Republic of Macedonia, H.E. Mr. Viktor Gaber; the Deputy Minister for Foreign Affairs of Ghana, H.E. Mr. Alhaji Mustapha Idris; the Secretary-General of the Ministry of Foreign Affairs of Lebanon, H.E. Mr. Zouheir Hamdan; the Permanent Representative of the Philippines to the United Nations Office at Geneva, H.E. Mr. Samuel T. Ramel; the Ambassador Extraordinary and Plenipotentiary of Ukraine to South Africa, H.E. Mr. Igor Turyansky; the Deputy Director of the Treaty-Legal Department, Ministry of Foreign Affairs of Azerbaijan, H.E. Mr. Tofig Musayev; the Permanent Representative of Bangladesh to the United Nations Office at Geneva, H.E. Mr. Toufiq Ali; the Pro-Vice Chancellor of the University of the West Indies of Barbados, H.E. Mr. Hilary Beckles; the High Commissioner of Guyana to the United Kingdom, H.E. Mr. L.K.N. Singh; and the Deputy Director-General, Ministry of Foreign Affairs of Israel, H.E. Mr. Mordechai Yedid.

19. At the same meeting, statements were made by the Secretary-General of the Council of Europe, H.E. Mr. Walter Schwimmer, and the Secretary-General of the Organization of the Islamic Conference, H.E. Mr. Abdelouahed Belkeziz.

20. At the 10th meeting, on 3 September, the Conference heard statements by the Director of the Presidential Office, Deputy Head of the Supreme National Committee for Human Rights of Yemen, H.E. Mr. Ali Mohammed Al-Anisi; the Secretary-General of the Ministry for Foreign Affairs of Albania, H.E. Mr. Eduard Sulo; the Deputy Minister for Foreign Affairs of Bulgaria, H.E. Mr. Petko Draganov; the Minister of Justice of Zimbabwe, H.E. The Honourable P.A. Chinamasa; the Secretary of the General People's Committee of African Unity of the Libyan Arab Jamahiriya, H.E. Mr. Ali Abdussalam Treiki; the Minister of Labour and Social Security of Kazakhstan, H.E. Mr. Alikhan Baymenov; the Assistant Minister for Foreign Affairs of Viet Nam, H.E. Mr. Nguyen Phu Binh; the Advisor and Special Envoy of the Minister for Foreign Affairs of Thailand, H.E. Mr. Pracha Guna-Kasem; and the Under-Secretary, Ministry for Foreign Affairs of the State of Qatar, H.E. Mr. Abdul Rahman H. Al-Attiyah.

21. At the same meeting, statements were made by the Assistant Director-General for Social and Human Sciences of the United Nations Educational, Scientific and Cultural Organization, Mr. Pierre Sané; the Vice-President of the International Federation of Red Cross and Red Crescent Societies, Mr. Ali Bandiare; the Secretary-General of the Asian-African Legal Consultative Organization, Mr. Wafik Kamil; the Permanent Observer of the International Organization of Francophonie to the United Nations Office at Geneva, Mr. Xavier Michel; the Chief of the Division of International Organizations of the International Committee of the Red Cross, Mr. Francis Amar; the Director of the Legal Affairs and Executive Office of the International Organization for Migration, Mr. Richard C. Perruchoud; and the Chairperson of the Committee on the Elimination of Racial Discrimination and Chairperson of the thirteenth meeting of the Chairpersons of the human rights treaty bodies, Mr. Michael E. Sherifis.

22. Also at the 10th meeting, statements in exercise of the right of reply were made by the representatives of Cyprus, Iraq, Kuwait and Turkey. At the same meeting, a statement in exercise of the right of reply was made by the observer for Palestine.

23. At the 11th meeting, on 3 September, the Conference heard statements by the High Commissioner for Immigration and Ethnic Minorities of Portugal, H.E. Mr. José Leitão; the Permanent Representative of Iraq to the United Nations Office at Geneva, H.E. Mr. Samir Al-Nima; the Ambassador on Special Mission of the Dominican Republic, H.E. Mr. Rubén Silié; the head of delegation of the State of Bahrain, H.E. Mr. Ibrahim Ali Al-Majed; the Director for Human Rights, Ministry of Foreign Affairs of Paraguay, H.E. Ms. Soledad Villara; the Permanent Representative of Turkey to the United Nations Office at Geneva, H.E. Mr. Murat Sungar; the Permanent Representative of Nepal to the United Nations Office at Geneva, H.E. Mr. Ram Simkhada; the Permanent Observer of the Holy See to the United Nations Office at Geneva, H.E. Archbishop Diarmuid Martin; the head of delegation of Ecuador, H.E. Mr. Francisco Proano Arandi; the Minister for Foreign Affairs and Cooperation of the Comoros, H.E. Mr. Souef Mohamed El-Amine; the Minister for Home Affairs of Malta, H.E. The Honourable Tonio Borg; and the Minister, Director of the National Agrarian Institute of Honduras, H.E. Mr. Anibal Delgado Fiallos.

24. At the same meeting, a statement was made by the head of the delegation of the Sovereign Military Order of Malta, H.E. Mr. Mark J. Wolff.

25. Also at the 11th meeting, a statement was made by the Deputy Executive Director (Management) of the United Nations Population Fund, Ms. Imelda Henkin.

26. At the 12th meeting, on 4 September, statements were made by the President of the Conference, H.E. Ms. Nkosazana Dlamini Zuma, and the Secretary-General of the Conference and United Nations High Commissioner for Human Rights, Mrs. Mary Robinson.

27. Also at the 12th meeting, the Conference heard statements by the Attorney-General and Secretary of State for Justice of the Gambia, H.E. The Honourable Joseph Henry Joof; the Minister of Justice and Institutional Relations of Rwanda, H.E. Mr. Jean de Dieu Mucyo; the head of delegation of the Democratic People's Republic of Korea, H.E. Mr. Ri Yong Ho; the Deputy Minister for Foreign Affairs of Belarus, H.E. Mr. Alyaksandr Sychov; the Deputy Minister for Justice and Home Affairs of Mongolia, H.E. Mr. Munkh-Orgil Tsend; the Minister of Information of Malaysia, H.E. The Honourable Mohd Khalil Yaakob; the Ambassador to Ethiopia and Permanent Representative of Sierra Leone to the Organization of African Unity and the United Nations Economic Commission for Africa, H.E. Mr. Alhaj Fode M. Dabor; the head of the delegation of Colombia, H.E. Mr. Jaime Giron Duarte; the representative of the Royal Government of Cambodia, H.E. Mr. Hor Lat; and the Deputy Prime Minister and Minister for Fijian Affairs of Fiji, H.E. Mr. Ratu Epeli Nailatikau.

28. At the same meeting, statements were made by the Speaker of the National Assembly of South Africa, Ms. Frene Ginwala (on behalf of the Inter-Parliamentary Union); the Deputy Executive Director of the Economic and Social Commission for Western Asia, Ms. Mariam Al-Awadhi; the representative of the Economic Commission for Latin America and the Caribbean, Mr. Martin Hopenhayn; the Deputy Executive Secretary of the Economic Commission for Africa, Ms. Leila Ben Barka; and the representative of the United Nations Centre for Human Settlements (Habitat), Mr. Joseph Igbinedion.

29. Also at the 12th meeting, a statement in exercise of the right of reply was made by the representative of Armenia.

30. At the 13th meeting, on 4 September, the Conference heard statements by the High Commissioner of Trinidad and Tobago to Nigeria, H.E. The Honourable Patrick Edwards; the Minister of Presidential Affairs and Public Administration of Botswana, H.E. The Honourable Thebe D. Mogami; the head of delegation of Tuvalu, H.E. Mr. Iftikahar Ahmad Ayaz; the Permanent Representative of Madagascar to the United Nations Office at Geneva, H.E. Mr. Maxime Zafera.

31. At the same meeting, statements were made by the Minister of State for External Affairs of the United States Virgin Islands, H.E. Mr. Carlyle G. Corbin; the Executive Secretary of the Community of the Portuguese-Speaking Countries, Ms. Dulce Maria Pereira; the Vice-President of the Inter-American Development Bank, Ms. K. Burke Dillon; the Vice-President of the African Commission on Human and Peoples' Rights, Mr. M. Kamel Rezag-Bara; the Executive Director of the Joint United Nations Programme on HIV/AIDS, Mr. Peter Piot; the Director, HIV/AIDS-Strategy, Advocacy and Partnerships, of the World Health Organization, Ms. Winnie Mpanju-Shumbusho; and the Human Rights Advisor for Women of the United Nations Development Fund for Women, Ms. Roxana Carrillo.

32. Also at the 13th meeting, statements were made by the Chairperson of the Working Group on Indigenous Populations of the Sub-Commission on the Promotion and Protection of Human Rights, Ms. Erica-Irene Daes; the Vice-Chairperson of the Human Rights Committee, Mr. Hipolito Solari Yrigoyen; the Chairperson of the Working Group on Minorities of the Sub-Commission on the Promotion and Protection of Human Rights, Mr. Asbjørn Eide; and the Special Rapporteur on contemporary forms of racism, racial discrimination and xenophobia of the Commission on Human Rights, Mr. Glèlè Ahanhanzo.

33. At the 13th meeting, Ms. Rigoberta Menchú Tum, Nobel Peace Prize laureate, made a statement.

34. Also at the 13th meeting, statements in exercise of the right of reply were made by the representatives of the Democratic Republic of the Congo and Uganda.

35. At the 14th meeting, on 4 September, statements were made by the Special Rapporteur on freedom of religion or belief of the Commission on Human Rights, Mr. Abdelfattah Amor; the Special Rapporteur on the human rights of migrants of the Commission on Human Rights, Ms. Gabriela Rodríguez Pizarro; and the Special Rapporteur on violence against women, its causes and consequences of the Commission on Human Rights, Ms. Radhika Coomaraswamy.

36. Also at the 14th meeting, a statement was made by the Director of the International Cooperation Department of the International Olympic Committee, Mr. Fékrou Kidané.

37. At the same meeting, the Conference heard statements by the designated spokesperson for national institutions, Mr. Barney Pityana; the Chairperson of the Malawi Human Rights Commission, Mr. Alfred Nsope; the Chief Commissioner of the Canadian Human Rights Commission, Ms. Michelle Falardeau-Ramsay; the representative of the Director of the Danish Centre for Human Rights, Mr. George Ulrich; the President of the Consultative Council for Human Rights of Morocco, Mr. Driss Dahak; the President of the National Human Rights Commission of Togo, Mr. Komi Gnondoli; the Chairperson of the National Human Rights Commission of Rwanda, Mr. Gasana Ndoba; the President of the National Human Rights Commission of Madagascar, Mr. Justin Rakotónidina; the Chairperson of the Philippine Human Rights Commission, Ms. Aurora P. Navarrete-Recina; the Ombudsman of Colombia, Mr. Eduardo Cifuentes; the Chairperson of the Human Rights Commission of Sri Lanka, Mr. Faiuz Mustapha; the Chairperson of the National Human Rights Commission of Nigeria, Mr. Justice Uche Omo; the Chairperson of the National Commission on Human Rights and Freedoms of Cameroon, Mr. Solomon Nfor Gwei; the Race Relations Conciliator of New Zealand, Mr. Gregory Fortuin; the Acting Race Discrimination Commissioner, Aboriginal and Torres Strait Islander Social Justice Commission, Human Rights and Equal Opportunity Commission of Australia, Mr. William Jonas; and the Vice-President of the National Consultative Commission for Human Rights of France, Ms. Martine Valdes-Boulouque.

38. Also at the 14th meeting, a statement in exercise of the right of reply was made by the representative of the Sudan.

39. At the 15th meeting, on 5 September, the Conference heard statements by the Minister of Cooperation of Guinea, H.E. Mr. Mory Kaba; the Deputy Secretary of the Presidency for Women's Affairs of Guatemala, H.E. Ms. Gloria Dominga Tecun Canil; the Secretary of State of Switzerland, H.E. Ms. Claudia Kaufmann; the Deputy Minister of Justice and Worship of Equatorial Guinea, Ms. Evangelina Filomena Oyo Ebule; the Under-Secretary of Multilateral and Special Affairs of Peru, H.E. Mr. Hernan Couturier; the Special Adviser to the President of Suriname, H.E. Mr. Willem Udenhout; and Senator Francis Garlawolu of Liberia.

40. At the same meeting, a statement was made by Mr. Mario Yutzis, member of the Committee on the Elimination of Racial Discrimination.

41. Also at the 15th meeting, the Conference heard statements by the Vice-President of the Swiss Federal Commission against Racism, Ms. Cecile Buhlmann; the Deputy Chairperson of the South African Human Rights Commission, Ms. Shirley Mabusela; the Vice-President of the Niger Human Rights and Fundamental Freedom National Commission, Ms. Mariama Cisse; the Fourth Commissioner of the National Human Rights Commission of Mexico, Mr. Rodolfo Lara Ponte; the Deputy Ombudsman against Ethnic Discrimination of Sweden, Ms. Katri Linna; the representative of the National Human Rights Commission of India, Mr. Justice K. Ramaswamy; the Commissioner of the Uganda Human Rights Commission, Mr. Joel Aliro-Omara; the Vice-President of the National Human Rights Commission of Greece, Mr. L.A. Sicilianos; the Commissioner of the Permanent Human Rights Commission of Zambia, Mr. Lewis Changufu; and Mr. Michael Farrell, member of the Irish Human Rights Commission.

42. At the 16th meeting, on 5 September, the Conference heard statements by the Director of the Fiji Human Rights Commission, Ms. Shaista Shameem; the Permanent Secretary of the Senegal Human Rights Committee, Mr. Alioune Ndiaye; the Director-General of the Office of the Public Defender of Venezuela, Mr. German Saltron Negretti; and the Director of the Commission on Human Rights and Administrative Justice of Ghana, Mr. Kenneth Attafuah.

43. At the same meeting, the Conference heard statements by representatives of the following non-governmental organizations: International Steering Committee; International Youth Committee; Women's Caucus; Sexual Orientation Caucus; Linkage Caucus; Religious and Spiritual Caucus; Education Caucus; International and Oecumenical Caucus; Disability Caucus; African and African Descendants Caucus; Indigenous People's Caucus; Tibetan Centre for Human Rights and Democracy (also on behalf of International Campaign for Tibet, International Fellowship of Reconciliation and Worldview International Foundation); Organization for Defending Victims of Violence; Centro de Culturas Indias y del Taller Permanente de Mujeres Indígenas y Amazónicas del Perú; Mehr White Home; Suara Rakyat Malaysia; Centre for Development Alternatives.

44. Also at the 16th meeting, statements in exercise of the right of reply were made by the representatives of Australia, China, Mauritania, Mexico and Senegal.

45. At the 17th meeting, on 6 September, the Conference heard statements by the Minister of Education and Culture of Uruguay, H.E. Mr. Antonio Mercader; and the Head of delegation of Mali, H.E. Mr.Louis Marie Bastide.

46. At the same meeting, statements were made by representatives of the following non-governmental organizations: Islamic Women's Institute of Iran; Asia Pacific Forum on Women, Law and Development (Thailand); All for Reparations and Emancipation (AFRE-CURE); Al-Khoei Foundation; Fraternity Notre-Dame; Canadian Hispanic Congress (Canada); Union des ecrivains et artistes de Cuba; European Roma Rights Centre (Hungary); Organization for the Solidarity of the Peoples of Asia, Africa and Latin America; International Institute for Peace; Institute on Race, Health Care and the Law - University of Dayton (United States); International Save the Children Alliance; Human Rights Watch; World Alliance of Reformed Churches; Amnesty International; Grand Council of the Crees; Rights of Children (Guyana); Guyana Human Rights Association; Te Kawa Maro-Maori Organization; International Catholic Migration Commission; Human Rights Association of Turkey; Indian Movement "Tupaj Amaru"; Susila Dharma International Association; Asociación Proyecto Caribe (Costa Rica); Mujeres Peruanas Unidas en Argentina; Espacio Afro-Americano; World Organization against Torture; Metis National Council.

47. Also at the 17th meeting, statements in exercise of the right of reply were made by the representatives of Iraq and Malaysia.

48. At the 18th meeting, on 6 September, statements were made by representatives of the following non-governmental organizations: Fundación Ideas (Chile); International Confederation of Free Trade Unions; Fundación Ecuatoriana de Acción y Educación para la Promoción de la Salud (Ecuador); World Evangelical Fellowship; Samiraddi; International Centre for Human Rights and Democratic Development; Professional Institute for Advanced Wound Recovery (United States); International Federation of Social Workers; Minority Rights Group; European Network against Racism (Belgium); Sikh Human Rights Group (United Kingdom of Great Britain and Northern Ireland); Conference of Non-Governmental Organizations (CONGO); Asian Descendant Caucus; Caribbean Caucus; International Criminal Justice Caucus; Race, Poverty and Globalization Caucus; Dalit Caucus; Palestinian Caucus; Eastern and Central Europe Caucus; Girl Child Caucus; Labour Caucus; Cultural Diversity Caucus; Asia Pacific Caucus; International Indian Treaty Council; Franciscans International (also on behalf of several other non-governmental organizations); Interfaith International (also on behalf of Forum against Islamophobia and Racism (United Kingdom of Great Britain and Northern Ireland); Sovereign Union of Aboriginal Peoples of Australia (Australia); Congrès mondial Amazigh (France); CISM-Veneto; Inclusion International (International League of Societies for Persons with Mental Handicap); Academia Mexicana de los Derechos Humanos; World Sindhi Institute (United States of America).

49. At the 19th meeting, on 7 September, statements were made by the following non-governmental organizations: World Confederation of Labour; African and African Descendant Women's Caucus; Service Peace and Justice in Latin America; Women's National Commission (United Kingdom of Great Britain and Northern Ireland); The 1990 Trust (United Kingdom of Great Britain and Northern Ireland); American Psychological Association; Brahma Kumaris World Spiritual University; Africville Genealogy Society (Canada); Physicians for Human Rights; Marangopoulos Foundation for Human Rights; Association of Islamic Women Researchers; Al-Haq, Law in the Service of Man; Committee on Women, Population and the Environment (United States of America); World Federation of DemocraticYouth; Roma

Centre for Public Policies "Aven amentza" (Romania); Women's Association Follower of Ahlul Bait; Pax Romana; African Canadian Coalition Against Racism (Canada); Women's Health in Women's Hands; Nucleo de Estudos Negros (Brazil); The Chinese People's Association for Friendship with Foreign Countries (also on behalf of the All China Women's Federation); China Society for Promotion of the Guangcai Programme (also on behalf of the United Nations Association of China); Christian International Possibilities Unlimited (United States of America); Centro de Estudos e Defensa do Negro do Para (Brazil); Union of Arab Community Based Associations - ITTIJAH (also on behalf of ADALAH - The Legal Centre for Arab Minority Rights in Israel (Israel)); Universal Day of Hope Trust; União de Negros pela Igualdade (Brazil); Pan-Africa Movement (Barbados NGO Committee for World Conference); Youth against Racism.

CHAPTER IV. REPORT OF THE MAIN COMMITTEE

1. At the 1st plenary meeting, on 31 August 2001, the Conference approved the organization of its work, as set out in document A/CONF.189/3, including the establishment of the Main Committee.

2. At the 2nd plenary meeting, on 1 September 2001, the Conference approved the nomination of Mr. Claudio Moreno (Italy) as Chairperson of the Main Committee.

3. The Main Committee held three meetings, on 2, 7 and 8 September 2001.

4. The Main Committee had before it the following documents:

(a) Note by the Secretariat transmitting the provisional rules of procedure of the World Conference (A/CONF.189/2) adopted by the Conference at its 1st plenary meeting on 31 August 2001;

(b) Note by the Secretary-General transmitting the draft provisional programme of work of the World Conference (A/CONF.189/3) adopted by the Conference at its 1st plenary meeting on 31 August 2001;

(c) Note by the Secretary-General transmitting the draft declaration of the World Conference (A/CONF.189/4);

(d) Note by the Secretary-General transmitting the draft programme of action of the World Conference (A/CONF.189/5).

5. The Main Committee, at its 1st meeting, on 2 September 2001, elected the following officers by acclamation:

Vice-Chairpersons: Mr. Alexander Slabi (Czech Republic)

Mr. Hernan Couturier (Peru)

Mr. Prasad Kariyawasam (Sri Lanka)

6. At the same meeting, on the proposal of the Chairperson, the Main Committee elected Ms. Najat Al-Hajjaji (Libyan Arab Jamahiriya) as its Rapporteur by acclamation.

7. At the same meeting, the Main Committee took note of the decision of the Drafting Committee that the draft declaration and the draft programme of action would be considered by two working groups of the Drafting Committee.

Consideration of the draft declaration and the draft programme of action

8. At the 2nd meeting, on 7 September, the Chairperson of the Main Committee announced that the Drafting Committee would continue, through its working groups, to consider paragraphs of the draft declaration and the draft programme of action that had not yet been adopted.

9. At the 3rd meeting, on 8 September, the Main Committee considered the draft declaration and the draft programme of action agreed upon in the two working groups and in the Drafting Committee, submitted by the Chairperson of the Drafting Committee. The Main Committee had before it the paragraphs adopted by the Working Group on the Draft Declaration, contained in documents A/CONF.189/L.2, and L.2/Add.1 and a document without a symbol, and the paragraphs adopted by the Working Group on the Draft Declaration, contained in documents A/CONF.189/L.3 and L.3/Add.1 to 3 and a document without a symbol.

10. At the same meeting, the Main Committee considered and approved the following new paragraphs introduced by the President of the Conference as a result of consultations. These paragraphs were subsequently incorporated in the draft declaration and draft programme of action:

Paragraphs on issues of the past

"DECLARATION AND PROGRAMME OF ACTION

"Sources, causes, forms and contemporary manifestations of racism, racial discrimination, xenophobia and related intolerance

"(Replaces paragraphs 10-18)

"**Para. 10**: We acknowledge that slavery and the slave trade, including the transatlantic slave trade, were appalling tragedies in the history of humanity not only because of their abhorrent barbarism but also in terms of their magnitude, organized nature and especially their negation of the essence of the victims and further acknowledge that slavery and the slave trade are a crime against humanity and should always have been so, especially the transatlantic slave trade and are among the major sources and manifestations of racism, racial discrimination, xenophobia and related intolerance, and that Africans and people of African descent, Asians and people of Asian descent and indigenous people were victims of these acts and continue to be victims of their consequences.

"**Para. 11**: The World Conference recognizes that colonialism has led to racism, racial discrimination, xenophobia and related intolerance, and that Africans and people of African descent, and people of Asian descent and indigenous peoples were victims of colonialism and continue to be victims of its consequences. We acknowledge the suffering caused by colonialism and affirm that, wherever and whenever it occurred, it must be condemned at its recurrence prevented. We further regret that the effects and persistence of these structures and practices have been among the factors contributing to lasting social and economic inequalities in many parts of the world today.

"**Para. 12**: The World Conference recognizes that apartheid and genocide in terms of international law constitute crimes against humanity and are major sources and manifestations of racism, racial discrimination, xenophobia and related intolerance and acknowledge the untold evil and suffering caused by these acts and affirms that wherever and whenever they occurred, they must be condemned and their recurrence prevented.

"Provision of effective remedies, recourse, redress, compensatory and other measures at the national, regional and international levels

"**Para. 116**: The World Conference acknowledges and profoundly regrets the massive human sufferings and the tragic plight of millions of men, women and children caused by slavery, slave trade, transatlantic slave trade, apartheid, colonialism and genocide and calls upon States concerned to honour the memory of the victims of past tragedies and affirms that wherever and whenever these occurred they must be condemned and their reoccurrence prevented. The World Conference regrets that these practices and structures, political, socio-economic and cultural, have led to racism, racial discrimination, xenophobia and related intolerance.

"**Para. 117**: The World Conference acknowledges and profoundly regrets the untold suffering and evils inflicted on millions of men, women and children as a result of slavery, slave trade, transatlantic slave trade, apartheid, genocide and past tragedies. The World Conference further notes that some States have taken the initiative to apologize and have paid reparation where appropriate, for grave and massive violations committed.

"**Para. 118**: With a view to closing those dark chapters in History and as a means of reconciliation and healing, we invite the international community and its members to honour the memory of the victims of these tragedies. The World Conference further notes that some have taken the initiative of regretting or expressing remorse or presenting apologies, and calls on all those who have not yet contributed to restoring the dignity of the victims to find appropriate ways to do so and, to this end, we appreciate those countries that have done so.

"**Para. 119**: The World Conference aware of the moral obligation on the part of all concerned States, calls on these States to take appropriate and effective measures to halt and reverse the lasting consequences of those practices.

"**Para. 121**: The World Conference recognizes the consequences of past and contemporary forms of racism, racial discrimination, xenophobia and related intolerance as serious challenges to global peace and security, human dignity and the realization of human rights and fundamental freedoms of many people in the world, in particular to Africans, people of African descent, people of Asian descent and indigenous peoples.

"**Para. 122**: Guided by the principles set out in the Millennium Declaration and the recognition that we have a collective responsibility to uphold the principles of human dignity, equality and equity and to ensure that globalization becomes a positive force for all the world's people, the International Community commits itself to working for the

beneficial integration of the developing countries into the global economy, resisting their marginalization, determined to achieve accelerated economic growth and sustainable development and to eradicate poverty, inequality and deprivation.

"**Para. 123**: The World Conference emphasizes that remembering the crimes or wrongs of the past, wherever and whenever they occurred, unequivocally condemning its racist tragedies and telling the truth about history are essential elements for international reconciliation and the creation of societies based on justice, equality and solidarity.

"**Para. 124**: The World Conference recognizes the efforts of developing countries, in particular the commitment and the determination of the African leaders to seriously address the challenges of poverty, underdevelopment, marginalization, social exclusion, economic disparities, instability and insecurity, through initiative such as the New African Initiative and other innovative mechanisms such as the World Solidarity Fund for the Eradication of Poverty, and calls upon developed countries, the United Nations and its specialized agencies as well as international financial institutions to provide, through their operational programmes, new and additional financial resources as appropriate to support these initiatives.

"**Para. 125**: The World Conference recognizes that these historical injustices have undeniably contributed to poverty, underdevelopment, marginalization, social exclusion, economic disparities, instability and insecurity that affect many people in different parts of the world, in particular in developing countries. The World Conference recognizes the need to develop programmes for the social and economic development of these societies and the Diaspora within the framework of a new partnership based on the spirit of solidarity and mutual respect in the following areas:

- Debt relief
- Poverty eradication
- Building or strengthening democratic institutions
- Promotion of foreign direct investment
- Market access
- Intensifying efforts to meet the internationally agreed targets for Official Development Assistance (ODA) transfers to developing countries
- New Information and Communication Technologies (ICT) bridging the digital divide
- Agriculture and food security
- Transfer of technology

- Transparent and accountable governance

- Investment in health infrastructure in tackling HIV/AIDS, TB and malaria, including among others through the Global AIDS and Health Fund

- Infrastructure development

- Human resource development including capacity building

- Education, training and cultural development

- Mutual legal assistance in the repatriation of illegally obtained and illegally transferred (stashed) funds in accordance with national and international instruments

- Illicit traffic in small arms and light weapons

- Restitution of art objects, historical artefacts and documents to their countries of origin in accordance with bilateral agreements or international instruments

- Trafficking in persons, particularly women and children

- Facilitation of welcomed return and resettlement of the descendants of enslaved Africans.

"**Para. 126**: The World Conference urges international financial and development institutions and the operational programmes and specialized agencies of the United Nations to give greater priority to, and allocate appropriate funding for programmes addressing the development challenges of the affected States and societies, in particular those on the African Continent and in the Diaspora.

"**Para. 127**: The World Conference salutes the efforts of the United Nations Educational, Scientific and Cultural Organization made within the framework of the Slave Route Project, and requests that the outcome be made available for the international community as soon as possible.

Paragraphs on the Middle-East and related issues

"DRAFT DECLARATION

"1. We are conscious of the fact that the history of humanity is replete with major atrocities as a result of the gross violation of human rights and believe that lessons can be learned through remembering history to avert future tragedies.

"2. We recall that the Holocaust must never be forgotten.

"3. We recognize with deep concern religious intolerance against certain religious communities, as well as the emergence of hostile acts and violence against such communities because of their religious beliefs and their racial or ethnic origin in various parts of the world which in particular limit their right to freely practise their belief.

"4. We also recognize with deep concern the increase in anti-Semitism and Islamophobia in various parts of the world, as well as the emergence of racial and violent movements based on racism and discriminatory ideas against Jewish, Muslim and Arab communities.

"5. We are conscious that humanity's history is replete with terrible wrongs inflicted through lack of respect for the equality of human beings and note with alarm the increase of such practices in various parts of the world, and we urge people, particularly in conflict situations, to desist from racist incitement, derogatory language and negative stereotyping.

"6. We are concerned about the plight of the Palestinian people under foreign occupation. We recognize the inalienable right of the Palestinian people to self-determination and to the establishment of an independent State and we recognize the right to security for all States in the region, including Israel, and call upon all States to support the peace process and bring it to an early conclusion.

"7. We call for a just, comprehensive and lasting peace in the region in which all peoples shall co-exist and enjoy equality, justice and internationally recognized human rights, and security.

"8. We recognize the right of refugees to return voluntarily to their homes and properties in dignity and safety, and urge all States to facilitate such return.

"DRAFT PROGRAMME OF ACTION

"1. We believe that all conflicts and disputes should be resolved through peaceful means and political dialogue. We call on all parties involved in such conflicts to exercise restraint and to respect human rights and international humanitarian law.

"2. We call upon States, in opposing all forms of racism, to recognize the need to counter anti-Semitism, anti-Arabism and Islamophobia worldwide and urge all States to take effective measures to prevent the emergence of movements based on racism and discriminatory ideas concerning these communities.

"3. As for the situation in the Middle-East, we call for the end of violence and the swift resumption of negotiations, respect for international human rights and humanitarian law, respect for the principle of self-determination and the end of all suffering, thus allowing Israel and the Palestinians to resume the peace process, and to develop and prosper in security and freedom."

11. At the same meeting, the Main Committee also considered and approved a new paragraph introduced by the chair of the Main Committee as a result of consultations. This paragraph was subsequently incorporated in the draft declaration:

> "We recognize that racism, racial discrimination, xenophobia and related intolerance occur on the grounds of race, colour, descent or national or ethnic origin and victims can suffer multiple or aggravated forms of discrimination based on other related grounds such as sex, language, religion, political or other opinion, social origin, property, birth or other status;"

12. At the same meeting, the Main Committee held a procedural discussion with regard to the paragraphs on which consensus had not been reached in the Drafting Committee. Statements were made by representatives of Armenia, Belgium (on behalf of the European Union), Bosnia and Herzegovina, Canada, Egypt, India, Iran (Islamic Republic of), Kenya, Lebanon, Mexico, Pakistan, the Philippines, the Russian Federation, Singapore, Spain, the Syrian Arab Republic, Turkey and the United Arab Emirates.

13. The representative of the Syrian Arab Republic proposed that the Main Committee consider preambular paragraph 30 and operative paragraph 33 of the draft declaration and operative paragraph 179 of the draft programme of action, as contained in documents A/CONF.189/4 and A/CONF.189/5.

14. The representative of the Legal Counsel made an explanatory statement with regard to procedure concerning paragraphs of the draft declaration and the draft programme of action that were still pending adoption.

15. Mr. Slabi, Vice-President took the chair. The Chairperson proposed that paragraphs or parts of paragraphs that had been adopted by the two working groups and the Drafting Committee should be adopted by the Main Committee and forwarded to the plenary of the Conference for its consideration and adoption, and that paragraphs or parts of paragraphs that had not been adopted would be deleted from the documents of the two working groups and the Drafting Committee.

16. At the same meeting, the representative of the Legal Counsel of the United Nations made an explanatory statement on rules 26, 34 and 44 of the rules of procedure of the Conference.

17. At the same meeting, under the pertinent rule of the rules of procedure of the Conference, the representative of Brazil moved that the Conference should take no action on the remaining paragraphs that had not been considered or had not been adopted by the working groups. The representatives of Algeria and the Syrian Arab Republic spoke against the motion and the representative of New Zealand spoke in support of it. The representative of Brazil withdrew the motion.

18. At the same meeting, the representative of Belgium (on behalf of the European Union) reintroduced the motion. Statements in support of the motion were made by the representatives of Argentina and the Russian Federation. Statements against the motion were made by the representatives of the Republic of South Africa and the Syrian Arab Republic.

19. At the request of the representative of Australia, a roll-call vote was taken on the motion, which was adopted by 51 votes to 37, with 11 abstentions. The voting was as follows:

In favour: Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, El Salvador, Fiji, Finland, France, Gabon, Germany, Ghana, Guatemala, Holy See, Honduras, Hungary, Ireland, Italy, Japan, Latvia, Liechtenstein, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Peru, Poland, Portugal, Romania, Russian Federation, Slovakia, Slovenia, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Yugoslavia.

Against: Afghanistan, Algeria, Bahrain, Barbados, Burkina Faso, China, Cuba, Egypt, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Mauritania, Mauritius, Namibia, Nigeria, Oman, Pakistan, Qatar, Saint Vincent and the Grenadines, Saudi Arabia, Sierra Leone, South Africa, Sudan, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Viet Nam, Zambia.

Abstaining: Armenia, Azerbaijan, Bosnia and Herzegovina, Ecuador, India, Kenya, Philippines, Senegal, Seychelles, Singapore, Togo.

20. At the same meeting, the representatives of the Holy See, Algeria, Belgium (on behalf of the European Union), the Syrian Arab Republic and the Libyan Arab Jamahiriya made statements in explanation of vote after the vote.

21. At the same meeting, the Main Committee decided to adopt the paragraphs or parts of paragraphs that had been adopted by the two working groups and the Drafting Committee, to delete those paragraphs or parts of paragraphs that had not been adopted by the two working groups and the Drafting Committee and to transmit the amended texts of the draft declaration and the draft programme of action to the plenary of the Conference for its consideration.

CHAPTER V. REPORT OF THE DRAFTING COMMITTEE

1. At the 1st plenary meeting, on 31 August 2001, the Conference approved the organization of its work, as set out in document A/CONF.189/3, including the establishment of the Drafting Committee.

2. Also at the 1st plenary meeting, the Conference approved the nomination of Mr. Ali Khorran (Islamic Republic of Iran) as the Chairperson of the Drafting Committee.

3. The Drafting Committee held six meetings, from 31 August to 7 September 2001.

4. The Drafting Committee had before it the following documents:

(a) Note by the secretariat transmitting the provisional rules of procedures of the World Conference (A/CONF.189/2), adopted by the Conference at the 1st plenary meeting on 31 August 2001;

(b) Note by the Secretary-General transmitting the draft provisional programme of work of the Conference (A/CONF.189/3), adopted by the Conference at the 1st plenary meeting on 31 August 2001;

(c) Note by the Secretary-General transmitting the draft declaration of the World Conference (A/CONF.189/4);

(d) Note by the Secretary-General transmitting the draft programme of action of the World Conference (A/CONF.189/5).

5. The Drafting Committee, at its 1st meeting, on 31 August 2001, approved the nomination of Mr. John Dauth (Australia) as Vice-Chairperson/Rapporteur.

6. At the same meeting, the Drafting Committee constituted two working groups to consider the draft declaration and the draft programme of action. The Working Group on the Draft Programme of Action elected Mr. Bonaventure M. Bowa (Zambia) as its Chairperson/Rapporteur on 31 August. The Working Group on the Draft Declaration elected Mr. Marc Bossuyt (Belgium) as its Chairperson/Rapporteur on 1 September.

7. At its 2nd meeting, on 2 September, the Drafting Committee was briefed on the outcome of the meeting of the General Committee held earlier the same day, including the appointment of facilitators on three difficult issues, those relating to victims, the past and the Middle East. The working methods of the working groups were also discussed.

8. At its 3rd meeting, on 6 September, the Drafting Committee evaluated the progress of the two working groups. It was decided that the two working groups would continue to meet in order to finish their work.

9. At its 4th meeting, on 7 September, the Drafting Committee evaluated the progress of the two working groups. Mr. Marc Bossuyt, Chairperson/Rapporteur of the Working Group on the Draft Declaration, and Mr. Bonaventure M. Bowa, Chairperson/Rapporteur of the Working Group on the Draft Programme of Action, reported on the situation of their respective working groups. The Chairperson of the Drafting Committee, Mr. Ali Khorram, also made a statement.

10. At its 5th and 6th meetings, on 7 September, the Drafting Committee considered a number of paragraphs of the draft programme of action, pending notification of the scheduling of meetings of the Main Committee and the Plenary originally planned for the afternoon and evening of 7 September. It was decided that the Working Group on the Draft Programme of Action would continue its work at a night meeting on 7 September. It was also decided that the Working Group on the Draft Declaration and the Working Group on the Draft Programme of Action would meet separately the next morning, 8 September, in order to finish their work. It was further decided that, after the two working groups had completed their work, the draft declaration and draft programme of action, as amended, would be forwarded to the Main Committee for further consideration.

CHAPTER VI. REPORT OF THE CREDENTIALS COMMITTEE

1. At its 1st plenary meeting, on 31 August 2001, in accordance with rule 4 of its rules of procedure, the Conference appointed a Credentials Committee having a composition based on that of the Credentials Committee of the General Assembly of the United Nations at its fifty-fifth session, namely: Bahamas, China, Ecuador, Gabon, Ireland, Mauritius, Russian Federation, Thailand and the United States of America.

2. The Credentials Committee met on 4 September 2001.

3. Mrs. Yolande Bike (Gabon) was unanimously elected Chairperson.

4. The Committee had before it a memorandum by the secretariat of the Conference, dated 3 September 2001, concerning the credentials of representatives of States at the Conference. The representative of the Legal Counsel of the United Nations made a statement relating to the memorandum in which she, inter alia, informed the Committee of credentials and communications received subsequent to the preparation of the memorandum.

5. As noted in paragraph 1 of the memorandum and the statement relating thereto, formal credentials of representatives to the Conference, in the form required by rule 3 of its rules of procedure, had been received as of the time of the meeting of the Credentials Committee from the following 92 States: Albania, Algeria, Andorra, Angola, Armenia, Austria, Bahrain, Barbados, Bhutan, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cape Verde, Central African Republic, Chad, China, Costa Rica, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, El Salvador, Equatorial Guinea, Ethiopia, Fiji, France, Gabon, Germany, Guatemala, Guinea, Haiti, Holy See, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Netherlands, Niger, Norway, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, United Arab Emirates, United Republic of Tanzania, Uruguay, Viet Nam, Zimbabwe.

6. As noted in paragraph 2 of the memorandum and the statement relating thereto, information concerning the appointment of representatives of States to the Conference had been communicated to the secretariat of the Conference, as of the time of the meeting of the Credentials Committee, by means of a cable or a telefax from the Head of State or Government or the Minister for Foreign Affairs, or by means of a letter or note verbale from the ministries, embassies or permanent missions concerned, by the following 78 States: Afghanistan, Argentina, Australia, Azerbaijan, Bahamas, Bangladesh, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Cambodia, Cameroon, Canada, Chile,

Colombia, Comoros, Congo, Côte d'Ivoire, Croatia, Democratic Republic of the Congo, Dominican Republic, Ecuador, Egypt, Eritrea, Estonia, Finland, Gambia, Georgia, Ghana, Greece, Guinea-Bissau, Guyana, Iran (Islamic Republic of), Ireland, Israel, Italy, Kazakhstan, Kyrgyzstan, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mali, Malta, Nepal, New Zealand, Nicaragua, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Qatar, Rwanda, Saint Vincent and the Grenadines, Saudi Arabia, Seychelles, Sierra Leone, Solomon Islands, Somalia, Sri Lanka, Tajikistan, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Yemen, Yugoslavia, Zambia.

7. Having considered the question of the credentials of Afghanistan, the Committee decided to take the position taken by the Credentials Committee of the General Assembly at the fifty-fifth session of the Assembly.

8. The Chairperson recommended that the Committee accept the credentials of the representatives of all States mentioned in the memorandum of the secretariat of the Conference, on the understanding that the formal credentials of representatives of the States referred to in paragraph 6 of the present report would be communicated to the secretariat of the Conference as soon as possible.

9. On the proposal of the Chairperson, the Committee adopted the following draft resolution:

> "The Credentials Committee,
>
> "Having examined the credentials of the representatives to the World Conference against Racism of the States referred to in the memorandum of the secretariat of the Conference dated 3 September 2001,
>
> "Accepts, subject to the decision contained in paragraph 7 of the report of the Credentials Committee, the credentials of the representatives of the States concerned."

10. The draft resolution proposed by the Chairperson was adopted without a vote.

11. The Chairperson then proposed that the Committee should recommend to the plenary of the Conference the adoption of a draft resolution (see para. 12). The proposal was adopted without a vote.

12. In the light of the foregoing, the present report is submitted to the World Conference against Racism.

Recommendation of the Credentials Committee

13. The Credentials Committee recommends to the plenary of the World Conference against Racism the adoption of the following draft resolution:

"Credentials of representatives to the World Conference Against Racism

"The World Conference against Racism,

"Having considered the report of the Credentials Committee and the recommendation contained therein,

"Approves the report of the Credentials Committee."

Action taken by the Conference

14. At the 16th plenary meeting, on 5 September 2001, the Conference considered the report of the Credentials Committee (A/CONF.189/11).

15. At the same meeting, a statement in connection with the report of the Credentials Committee was made by the representative of Turkey.

16. The Conference adopted the draft resolution recommended by the Committee in its report. For the text, see chapter I, section C, resolution 1.

CHAPTER VII. ADOPTION OF THE FINAL DOCUMENT AND THE REPORT OF THE CONFERENCE

1. At the 20th plenary meeting, on 8 September 2001, the Conference considered item 10 of its agenda, entitled "Adoption of the final document and the report of the Conference". The Conference had before it the following documents that had been adopted by the Main Committee and forwarded to the plenary for further consideration: the draft declaration (A/CONF.189/L.2 and Add.1 and a document without a symbol containing adopted paragraphs) and the draft programme of action (A/CONF.189/L.3 and Add.1-3 and a document without a symbol), as well as two documents without a symbol that had been presented by the President of the Conference to the Main Committee.

2. Before the adoption of the draft declaration and the draft programme of action, statements and reservations were made by the representatives of Australia, Belgium (on behalf of the European Union), Canada, Chile, Ecuador (also on behalf of Brazil, Canada, Chile and Guatemala), the Islamic Republic of Iran, the Syrian Arab Republic and Switzerland. At the request of the participants, the statements and reservations are reproduced below, in their entirety.

3. The representative of Australia made the following statement:

> "Australia is unequivocal in its opposition to racism in all its forms and is committed to strong action at all levels to combat it, both domestically and internationally, and this was reflected in the approach we took to this World Conference.
>
> "We regret that far too much of our time has been consumed by bitter, divisive exchanges on issues which have done nothing to advance the cause of combating racism. This has been particularly evident in respect of the debate about the Middle East. Despite the great efforts of many delegations, including that of Australia, to achieve a balanced text, the references to the Middle East contain language which will do nothing to achieve greater peace in that troubled region and nothing to advance the objectives of this Conference.
>
> "The debate on many other issues also has been polarized and recriminatory. These exchanges were the very antithesis of the objectives of the Conference and deeply disappointed many government and non-government participants who had had such high hopes for the Conference.
>
> "Australia wishes to acknowledge the strong efforts of you, Madam Chair, to produce positive outcomes. Despite the Chair's tireless work, others were more interested in pursuing narrow interests at the cost of good overall outcomes.
>
> "We have some specific reservations on the text we are about to adopt which we would like to be included in the record of the meeting in the same manner as that requested by the Canadian delegation. In relation to the second paragraph 5 of your text

on the Middle East, my delegation believes that this paragraph deals with a political situation, and has no place in the outcomes of the World Conference, which is on racism, racial discrimination, xenophobia and related intolerance.

"On paragraph 7 of the text on the Middle East, my delegation believes that this language undermines the agreements reached between Israel and the Palestine Liberation Organization, as the representative of the Palestinian people, which aim to achieve a just settlement of the refugee problem, in accordance with the relevant United Nations resolutions, through direct negotiations to resolve all outstanding final status issues.

"Australia is a country whose good governance and strong democratic traditions and institutions derive directly from its colonial history. In relation to the text on the past, we therefore express serious concerns at the use of the same language in paragraphs 11 and 116 to condemn colonialism as is used in paragraph 12 to condemn apartheid and genocide."

4. The representative of Belgium (on behalf of the European Union) made the following statement:

"In 1978 the General Conference of UNESCO unanimously proclaimed that 'All human beings belong to a single species'. This is fundamental. Doctrines that asserted the contrary were used to justify some of the most appalling and disgraceful tragedies in human history, including the Holocaust and also apartheid. Numerous United Nations consensus documents have affirmed the fundamental unity of the human race.

"Article 1 of the International Convention on the Elimination of all Forms of Racial Discrimination states that racial discrimination is 'any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin'. Our work here is to further the elimination of racial discrimination. The concept of race may, for the purpose of applying the Convention, be helpful in identifying the basis for such discrimination.

"The Member States of the European Union consider that the acceptance of any formulation implying the existence of separate human 'races' could be interpreted as a retrograde step as it risks denying the unity of humanity. Nor is acceptance of such a formulation necessary in order to identify or combat racial discrimination.

"Clearly the human race is diverse. The Member States of the European Union value diversity. Within our States it is a source of social cohesion and cultural enrichment. We unequivocally condemn racial discrimination and doctrines of racial superiority.

"The Member States of the European Union are of the opinion that existing terminology covers largely all the differences/diversity between people.

"The Member States of the European Union strongly reject any doctrine of racial superiority along with theories or doctrines which attempt to determine the existence of separate human races, as well as any implicit acceptance of such theories or doctrines which could emerge from the use of the terms 'race' or 'racial' in the Declaration and Programme of Action of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

"This does not imply the denial of race as an ground for discrimination and the denial of manifestations of racism and racial discrimination, as defined in article 1 of the Convention, which still exist all over the world."

5. The representative of Canada made the following statement:

"Given its struggle against apartheid, South Africa was a logical place to host the Conference. The world continues to draw strength from the courage and determination of its people to reconcile their differences and build a more inclusive society. We thank the Government of South Africa for its leadership and hospitality, and we pledge to keep working with it to promote and protect all human rights and freedoms. As well, we will continue to look to the United Nations as the primary venue for discussion and action on these important issues.

"A World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance is not just another act in the ongoing itinerant, multilateral, diplomatic theatre. It is much more than that. Or should be.

"That is why Canada persevered here and remained at the table. We faced the challenges of contention and divisiveness because of our strong sense of duty to the United Nations, the world community, Canadians who depended on us to give them voice here and the millions of people around the globe who live in poverty and hopelessness because of racism.

"We are not satisfied with this Conference. Not enough time has been dedicated to advancing its objectives, that is, developing forward-looking, action-oriented strategies to eradicate the many forms of discrimination that exist today. Instead, too much time has been spent on an issue that does not belong here.

"Canada is still here today only because we wanted to have our voice decry the attempts at this Conference to de-legitimize the State of Israel and to dishonour the history and suffering of the Jewish people. We believe, and we have said in the clearest possible terms, that it was inappropriate - wrong - to address the Palestinian-Israel conflict in this forum. We have said, and will continue to say, that anything - any process, any declaration, any language - presented in any forum that does not serve to advance a negotiated peace that will bring security, dignity and respect to the people of the region is - and will be - unacceptable to Canada.

"That is why the Canadian delegation registers its strongest objections and disassociates itself integrally from all text in this document directly or indirectly relating to the situation in the Middle East. We state emphatically that this text is ultra vires; it is outside the jurisdiction and mandate of this Conference.

"For example, paragraph 7 goes to the heart of the legitimacy of the State of Israel. When read in the context of the Middle East, which we believe to be the intent, the word 'Israel' is implicit. Therefore, the formulation with respect to the right of return of refugees is not consistent with United Nations General Assembly resolution 194.

"This paragraph is tantamount to a call for a unilateral violation of the agreed peace accords. Its implementation would be inconsistent with the agreement between the parties that the return of refugees would be pursuant to a negotiated final settlement.

"As such, it is an unhelpful and irresponsible intrusion by this Conference into one of the world's most dangerous conflicts. Further, as was proposed in the draft document, Canada believed, and continues to believe, that it is entirely appropriate that the Declaration contain an independent and unlinked reference to the need for all of us to counter anti-Semitism. Canada came to this Conference with very clear positions on what is important to us. We will not sacrifice our principles or distort our long-standing, fair-minded policy with regard to the Middle East conflict.

"Canada regrets that the World Conference has not been able to acknowledge that there is a close, sometimes inseparable relationship between discrimination based on religion and language and that which is based on racism and xenophobia.

"This is particularly regrettable given that in 1994 the United Nations General Assembly, in its resolution establishing the Third Decade to Combat Racism and Racial Discrimination, expressed deep concern about the evolution of racism into discriminatory practices based on religion, language, nationality or culture. In this regard we consider the World Conference has taken a significant step backwards. At this point, we would like to underline that, for Canada, multiple discrimination on the basis of 'other grounds' includes sexual orientation, disability and barriers based on culture.

"On the issue of past injustices, let there be no doubt - Canada believes that the transatlantic slave trade was morally repugnant and is a stain on the fabric of history.

"With regard to the text related to this issue, Canada would like to register clearly its understanding that paragraph 10 of the Declaration means that widespread and systematic enslavement directed against a civilian population today constitutes a crime against humanity, and if the transatlantic slave trade occurred today it would constitute a crime against humanity.

"Furthermore, it is Canada's understanding with regard to paragraphs 117, 118 and 119 of the Declaration, that under international law there is no right to a remedy for historical acts that were not illegal at the time at which they occurred.

"It is for these reasons, that Canada requests that this statement be entered into the Conference records, and that our reservations be explicitly reflected in the final report of the Conference."

6. The representative of Chile made the following statement:

"The Durban Conference has, to the end, been marked by difficulties and tensions that are characteristic of the problems we have tackled. Here the core of our concern has been human diversity, its wealth and its conflicts. However, we cannot fail to regret the polarization around some items that has prevented us from looking at the overall goals defined by the General Assembly when it convened the Conference. We believe that, despite the drama and the tragedies involved in some of them, we stood in need of greater freedom to discuss all the problems that challenge us, particularly in taking on the new risks and threats and, at the same time, modernizing the tools to cope with them. We are aware that it would have been impossible to take on the problems that have concerned us without facing up to the complexity of the history of mankind in terms both of its own interpretation of the repeated suffering of millions of beings and of the constantly renewed hopes of the prospect of equality and justice and of the ongoing attempt by women and men to build a better material and spiritual life.

"Chile's commitment to the process that led to Durban was strongly evidenced in the Regional Conference in Santiago. At that Conference, the Americas scrutinized their societies from a historical standpoint, with a critical view and with political will. Hence the effort to include the specificity of the Americas, with its difficulties and hopes, in the overall document.

"For the Chilean delegation, it was a priority to incorporate in the final documents the full rights of the indigenous peoples. Accordingly, our country has backed the efforts of democratic Governments since 1990. The emphasis of the Government of President Ricardo Lagos has been to secure greater recognition of the rights of our original peoples, to establish the historical truth about their contribution to national development and to overcome the unjust treatment that they received for centuries, fostering their dignity, identity and genuine development in diversity.

"At this Conference, the victims formed the core theme of our task. It could not have been otherwise. A humanist ideal is behind the integrating and egalitarian drive to cope with racism, racial discrimination, xenophobia and related intolerance. We acknowledge the advances we have made here in protecting the human rights of the victims. We must, at any event, regret that it has not been possible to reach an agreement to identify the factors in aggravated or multiple discrimination, for the purpose of

promoting action to respond to contemporary manifestations of racism. We are concerned that poverty and incapacity could not be properly singled out in this context. We realize the difficulties that some delegations experience in enumerating factors, but our responsibility is to find solutions to the problems of the present.

"The Declaration and the Programme of Action we have adopted today are a significant step in mankind's struggle against racism, racial discrimination, xenophobia and related intolerance. It is an enormous victory that reinforces the universality of human rights and national and collective responsibilities in providing a suitable follow-up to the Durban agreements.

"The Government of Chile thanks the Government and the people of South Africa for their notable efforts and contribution in organizing and hosting this Conference. The South Africans will remain a symbol of the struggle for equality and identity.

"Our thanks go to Mrs. Zuma for her efforts, her intelligence, her will and her courage. Much of our success we owe to her.

"Lastly, we express our gratitude to the High Commissioner for Human Rights, Mrs. Mary Robinson. Her road to Durban has not been an easy one. It has been strewn with fears and phantoms that have paralysed us so many times. With her will and dedication, at this Conference we have tried to exorcise them.

"I should not like to conclude without acknowledging the contribution that the non-governmental world has made to this process. Its conscience and its voice will always act as testimony for those who actively or passively suffer the most varied manifestations of discrimination and intolerance.

"I would like this statement to be included in the final records of the World Conference."

7. The representative of Ecuador made the following statement:

"Our delegation, which is composed of representatives of the Government and civil society (non-governmental organizations, indigenous peoples and persons of African descent), regrets that, despite the intensive efforts made jointly by various countries in the region, it has still not been possible during the negotiations at the World Conference against Racism to decide on the legal and political content of paragraphs 26, 27 and 51 of the draft declaration, which refer to the recognition of indigenous peoples and their rights.

"Our delegation wishes to reaffirm its commitment to the indigenous peoples' aspiration that their rights should be recognized by States. Like the sectors which suffer from exclusion and racism, our aspiration is that this World Conference should clearly define racism and its consequences and assume responsibility for its effects, on the basis of a programme of action to deal with its legacy.

"In its Constitution, the Republic of Ecuador is defined as a multicultural, multi-ethnic and multilingual State; it therefore recognizes the diversity of its population and the collective rights of indigenous peoples. In accordance with this new legal approach, which is based on a new social covenant, we intend to eliminate the racism and forms of exclusion which have been imposed since colonial times.

"We are therefore in favour of the conclusion and adoption of the Declaration on the Rights of Indigenous Peoples on the basis of the text adopted by the Sub-Commission on the Promotion and Protection of Human Rights in its resolution 1994/45, which definitively recognizes the category of indigenous peoples.

"Lastly, we urge that the deadlock should be broken; otherwise, we will be lending support to the continuation of discrimination against indigenous peoples."

8. The representative of Ecuador also made the following statement on behalf of Brazil, Chile, Canada, Guatemala and Ecuador:

"Many precedents within the United Nations system establish that sexual orientation is a human rights issue. These precedents are founded on the Universal Declaration of Human Rights (1948), which proclaims that all persons are born free and equal in dignity and rights (art. 1), and are sustained by the Universal Declaration of Human Rights principle that human rights are indivisible. They are also grounded in the Santiago Declaration of the Regional Preparatory Conference for the Americas. The universality of human rights is fulfilled by addressing abuses and by protecting the victims of discrimination. These precedents demonstrate that the United Nations already recognizes that sexual orientation is a human rights issue.[1] In this context we stress the human rights advances at the international level, which establish the principles of non-discrimination and equality without distinction of any kind.

"In this Conference one delegation, supported by several delegations, expressed in clear terms that sexual orientation is an aspect of human reality which can no longer be ignored and requires more in-depth analysis, discussion and debate to contribute to the development of worldwide consensus on this matter.

"Therefore, the delegations of Ecuador, Brazil, Chile, Canada and Guatemala reaffirm the importance for the strengthening and advancement of human rights and the combat of racism, racial discrimination, xenophobia and related intolerance, of developing, implementing and improving specific policies and programmes to address effectively a serious form of multiple discrimination, which occurs when racism, racial discrimination, xenophobia and related intolerance intersect with discrimination based on sexual orientation."

---

[1] The United Nations Committee on Economic, Social and Cultural Rights has held, through its General Comment 14 (2000) on the right to the highest attainable standard of mental and physical health in the International Covenant on Economic, Social and Cultural Rights, that sexual orientation is a prohibited basis of discrimination and has an impact on health status.

9. The representative of the Islamic Republic of Iran made the following statement:

"In the name of God, the Compassionate, the Merciful.

"To begin with, I should like to express my profound appreciation and thanks to the Government and people of South Africa for the warm hospitality extended to our delegation during this important conference.

"As a delegation which has attached great importance and accorded the highest priority to the World Conference against Racism and its successful conclusion, the Islamic Republic of Iran, in the course of the past two years, has done its utmost to contribute to the full realization of the noble objectives of this landmark event. We actively participated in the preparatory process and spared no effort to contribute to the deliberation in a spirit of cooperation and good faith. We accordingly hosted the Asian regional conference in Tehran, with the hope that this World Conference would be crowned with unity and success.

"However, at this very final stage and as the plenary is about to adopt the outcome of the time-consuming, highly sensitive and complex discussions and negotiations, we cannot conceal our dismay and dissatisfaction over the unexpected turn of events in the past few days which has inadvertently led to the imposition of the viewpoints of certain countries on the others. As a result of the creation of such an unhealthy atmosphere, the question of Palestine and the Middle East, which has taken a high place on the agenda of the international community, has been greatly undermined in this World Conference that is believed to have the responsibility to address the injustices of racism and racial discrimination.

"All efforts made by the members of the Organization of the Islamic Conference to justly address the causes of the oppressed Palestinian people were rendered futile in the atmosphere of intimidation, threat and ultimatum. Consequently, all the paragraphs on the Middle East and Palestinian issue were deleted and were subsequently replaced by new paragraphs in the final documents, despite the opposition of the respective parties concerned. Lack of transparency and the use of undemocratic methods to induce sovereign States to accept certain language and ideas on this issue are indeed unprecedented in the history of international gatherings and conferences.

"The Islamic Republic of Iran is therefore bound to express its dismay at this irrational and unhealthy practice, and strongly believes that such an unfortunate trend should not constitute a precedence for future world conferences.

"Moreover, while subscribing to all the other parts of the final documents of this World Conference, the Islamic Republic of Iran would like to disassociate itself from all paragraphs pertaining to the Palestinian and Middle East issue as appear in the final documents of this Conference. Iran believes that this part of the Durban Declaration and Programme of Action falls well short of addressing the fundamental issues of the current situation of the Middle East, particularly in the occupied Palestinian territories, and thus

lacks fairness, balance and credibility. In fact, the essence and the magnitude of the tragedy and the suffering of the Palestinian people have been deliberately omitted in the same part of the said documents.

"Obviously, the efforts of the Islamic Republic of Iran, as in the past, continue to be directed towards the full realization of all legitimate rights of the Palestinian people, in particular the right to self-determination and the establishment of an independent State, with Jerusalem as its capital, and the right to regain all occupied territories, as well as the right of all refugees to return to their homeland.

"As regards the terms holocaust and anti-Semitism in the Declaration and Programme of Action, we interpret holocaust as referring to the Jewish holocaust in Europe and anti-Semitism as referring to both Arabs and Jews.

"Our message to the Palestinian people is clear and simple. We will never compromise their legitimate rights. We deeply and wholeheartedly sympathize with their cause and suffering. The peoples of the world will not condone the inhumane Israeli policies and practices, which are clear manifestations of racism and discrimination. The pertinent parts of the final document of the NGO Forum submitted to this World Conference testify to this assertion. We believe that the suffering of the Palestinian people and their legitimate rights, which have been vastly and grossly violated by the occupying racist power in the course of the past 50 years, have not been given proper and due consideration in this Conference. Consequently, the outcome of the Conference in this respect cannot be interpreted as a successful achievement.

"In conclusion, I hereby request the secretariat to reflect fully the content of this statement in the final report of this World Conference as the position of the Government of the Islamic Republic of Iran on the Declaration and Programme of Action of this World Conference."

10. The representative of the Syrian Arab Republic made the following statement:

"Allow me at the outset to thank the President, Government and people of South Africa for hosting this very important Conference. I think the holding of this Conference has been one of the achievements of South Africa.

"I wished, and so many of my colleagues wished, that this Conference had been able to create a much better atmosphere than it has, especially in the sense of reconciliation and bringing people closer together in condemning racism and racial discrimination in all its forms. We hope that, at any event like this that may take place in the future, there will be an improvement in the atmosphere, in the language and in the sincerity of the delegations.

"I say this because we felt that certain interventions by certain delegates fuelled racial feelings rather than reconciliation. Our hopes and expectations are still great, and we believe that this Conference has made great progress in the fight against racism and racial discrimination.

"Although Syria wished for clearer wording, especially on the Middle East - and I am speaking here about practices, not a political solution for the Middle East and Israel, because from the beginning I agreed with those colleagues who said that we were not here to find a solution - and although the Conference is not part of a peace process for the Arab-Israeli conflict, we should not forget that racist practices are being carried out in the occupied Palestinian and Arab territories. It goes without saying that we have documented evidence of the demolition of houses, the use of F-16s, the uprooting of people and trees, especially olive trees, the transfer of people, the besieging of people, of making people starve, and of the killing of children: all these are racist practices and it is obvious that Israel is carrying them out. Of course, I know that some of our friends and colleagues in the western hemisphere do not like such language, but if they do not like it, why do they attend such a Conference in the first place? However, my country, my delegation, has cooperated and it did all that it could to make this Conference a success; we made every effort to find the right wording to which everyone could subscribe, rather than what would satisfy us.

"I should like to note that we did not hesitate to join the draft declaration that you offered to us instead of the Islamic paper, or non-paper, because we wanted South Africa to be in a strong position as the host of this meeting and to convince others that everyone at this Conference was cooperating to make it a success. Those who withdrew from the Conference spoiled, or tried to spoil the Conference, no matter what explanations or pretext they used, and no one should have done anything to spoil the Conference. On the contrary, we did all that we could to make it a success, because it took place in South Africa.

"I have only one observation on this paper which you have presented. That observation addresses the understanding and the substance of the meaning of the Holocaust. Of course, I would like to say from the beginning that the Holocaust was a horrible thing, regardless of where it happened. But we must remind our European friends who are very sensitive about the Holocaust that the Holocaust happened in Europe, and was committed mostly by Europeans. To generalize it, as though the Europeans want to distribute their sense of guilt throughout the whole world, is a mistake.

"Let us be morally courageous enough to tell the truth: what do they mean by, 'We recall that the Holocaust must never be forgotten'? It should not be forgotten by the people who made it, who created it, who did it. We were not party to it, we have never been a party to it and we will never be a party to it, and that is why we do not accept this general term here. We would like it to be very concise and very specific and not to be applied to every nation on earth.

"This is all I wanted to say, and I would like to thank you very much again and the great people of South Africa."

11. The representative of Switzerland made the following statement:

"The World Conference has been a valuable learning experience and we wish to thank the host country, South Africa, for its enormous dedication. We have thus come to realize how important it is for many countries to retain the word and the idea of race.

"This can be explained by their history, which is unique and therefore different from our painful experience in Europe. The exclusively negative connotation of the word 'race' is connected with the racist and biological concepts of the last few centuries, particularly those of the Nazi period. Hence, in this context, we should emphasize that we see race as a social construct.

"In any event, race must never be used as a justification for discriminatory practices or to advocate ideologies of racial superiority. Switzerland therefore associates itself with the statement made in the Main Committee by the representative of Belgium on behalf of the European Union concerning the words 'race' and 'racial'."

12. The representatives of Barbados (also on behalf of Belize, Cuba, Guyana, Haiti, Honduras, Jamaica, Saint Vincent and the Grenadines and Trinidad and Tobago), Guatemala, Japan, Latvia, New Zealand, Trinidad and Tobago and Turkey indicated their intent to make statements before the adoption of the draft declaration and programme of action. Since this was not possible owing to time constraints, the President of the Conference suggested that these statements should be handed to the secretariat in written form and that they would be reflected in full in the report of the Conference.

13. The statement of the representative of Barbados (also on behalf of Belize, Cuba, Guyana, Haiti, Honduras, Jamaica, Saint Vincent and the Grenadines and Trinidad and Tobago) reads as follows:

"Reservation to paragraph 10 of the Declaration:

"We declare that the transatlantic slave trade and the related system of racialized chattel slavery of Africans and people of African descent constitute crimes against humanity."

14. The statement of the representative of Guatemala reads as follows:

"The delegation of Guatemala fully and unrestrictedly recognizes the identity of indigenous peoples and their individual and collective rights, including their right to self-determination, and has done so at the national level in the Agreement on the Identity and Rights of the Maya, Xinca and Garifuna Peoples in the context of the Peace Agreements.

"In our view, the rights of indigenous peoples should also be fully recognized at the international level, as we have maintained, without restriction or condition of any kind, in the negotiations on the Declaration on the Rights of Indigenous Peoples. We would therefore like the record to show that we have reservations about some of the provisions of paragraphs 26, 27 and 51 of the Durban Declaration.

"The delegation of Guatemala also has reservations about, and disassociates itself from, paragraphs 6 and 8 of the paper by the President of the Conference on the Middle East, because they contain political elements which should be decided in the political negotiations between the State of Israel and the Palestinian Authority and which do not correspond to the theme of the Conference or are not applicable to the situation in question, such as that of refugees.

"We also regret that anti-Semitism and the Holocaust, the most serious crime ever committed in all of mankind's history as a result of racist feelings, have not been properly dealt with. Minimizing them or trying to exclude them from this Conference shows that there are still serious manifestations of anti-Semitism in the world to which we should turn our attention.

"We would like our reservations to be reflected in full in the final report of the Conference."

15. The statement of the representative of Japan reads as follows:

"The delegation of Japan has maintained that the outcome documents should be adopted by consensus of all countries, as was stressed by our representative in her statement. Therefore, we highly appreciate the laborious work of the facilitators and negotiators with a view to finding common ground and making this Conference a success. Based on this recognition, our delegation joined the consensus in adopting the paragraphs related to the Middle East and those related to the issues of the past.

"Regarding the Declaration and Programme of Action, the delegation of Japan has joined the consensus, but due to the unusual time constraint, the final version of these documents was not available to us at the time of their adoption. Therefore, we would like to reserve the right to make further comments regarding these two documents."

16. The statement of the representative of Latvia reads as follows:

"The delegation of Latvia would like to express the appreciation of the leadership of Madam President at this Conference. It was an exhaustive, but otherwise fruitful, discussion which we had during the past nine days. We are of this view, notwithstanding the fact that there have been major difficulties in the attempts to reach a common understanding what this Conference is about and whether some of the paragraphs which have been offered to us should be included in the text of the documents which are before us.

"We find it extremely difficult to agree with explicit singling out and mentioning of one particular region and one particular State, Israel, in the final documents, which in our view is not consistent with the global character of this Conference. Latvia consistently expressed its opinion on this subject during the preparatory process for the Conference and wishes to restate it clearly now."

17. The statement of the representative of New Zealand reads as follows:

"New Zealand is very pleased to join other delegations in thanking South Africa for the tremendous efforts made to bring our work to a successful conclusion, despite the challenges presented by the agenda for this World Conference.

"I must, however, place on record the concern of the New Zealand delegation at the unqualified references, at some points in the texts to colonialism, placing it in a paragraph with scourges such as slavery, apartheid and genocide. Paragraph 116 of the Declaration is a particular concern. New Zealand recognizes that injustices occurred under colonialism in many countries that would be abhorrent by today's standards. Where those injustices were founded on racist attitudes and practices, colonialism can be viewed as having been a source of racism."

18. The statement of the representative of Trinidad and Tobago reads as follows:

"The World Conference should acknowledge that differences in ethnic identities have long manifested themselves in diverse ways, but should recognize that the racism of the colonial era constituted an unprecedented system of thought and action that has a specific historical origin in the transatlantic slave trade and the consequent development of the global racial chattel enslavement of Africans. As a consequence, doctrines of racial hierarchy were developed that facilitated the commercial and social exploitation of enslaved persons.

"These false and immoral ideas were globalized over time and have shaped the ethnic relations of societies everywhere. As a result of this history, the superficial differences between ethnic and racial identities have led to deep-seated conflict, lasting distrust and hatred, guilt and shame.

"1. Crimes against humanity

"(a) Slavery

"The World Conference should recognize that slavery, the transatlantic slave trade, indenture ship and other forms of servitude constitute crimes against humanity, are historical sources and manifestations of racism, racial discrimination, xenophobia and related intolerance, and that Africans and people of African descent and people of Asia and Asian descent and indigenous peoples have been and continue to be victims of these acts and of their consequences.

"(b) Apartheid and genocide

"The World Conference should recognize that apartheid and genocide constitute crimes against humanity and are sources and manifestations of racism, racial discrimination, xenophobia and related intolerance, should acknowledge the untold evils and suffering caused by these acts, and should affirm that, whenever and wherever they occurred, they must be condemned and their recurrence prevented.

"2. Colonialism

"The World Conference should recognize that colonialism was among the sources and manifestations of racism, racial discrimination, xenophobia and related intolerance, and that Africans and people of African descent and people of Asia and Asian descent and indigenous peoples were victims of colonialism and continue to be victims of its consequences. We acknowledge the untold evils and suffering caused by colonialism and affirm that, wherever and whenever it occurred, it must be condemned and its recurrence prevented.

"3. Truth and reconciliation

"(a) Apology

"The World Conference should acknowledge the untold suffering of millions of men, women and children as a result of slavery, the transatlantic slave trade, indenture ship and other forms of servitude, and call upon States that practised, benefited or enriched themselves from these activities to express their apology explicitly to the victims of these acts and their consequences.

"(b) Remembering

"The World Conference should emphasize that remembering the crimes and wrongs of the past, whenever and wherever they occurred, unequivocally condemning its tragedies and telling the truth about history, are essential elements for the achievement of international reconciliation.

"(c) Reparations

"The World Conference should recognize that these crimes and injustices have undeniably contributed to poverty, underdevelopment, marginalization, social exclusion, economic disparities, instability and insecurity, which affect many people in different parts of the world, in particular in developing countries. It should therefore call upon those States that practised, benefited or enriched themselves from slavery, the transatlantic slave trade and indenture ship to provide reparations to countries and peoples affected, and to adopt appropriate remedial and other measures in order to repair these consequences.

"We support the President in her efforts to ensure the deepening of dialogue in order to meet the objectives of the Conference, and will continue to encourage the search for consensus.

19. The statement of the representative of Turkey reads as follows:

"It is the view of the delegation of Turkey that in paragraph 50 bis of the draft declaration, the phrase 'racial groups in a numerically based minority situation within a State' should not be interpreted as implicitly recognizing the existence of 'racial minorities'.

"I request that this statement be reflected verbatim in the report of the Conference."

20. The Conference then adopted, by consensus, the draft declaration and programme of action submitted by the Main Committee, as the Durban Declaration and Programme of Action.

21. The representatives of Brazil, China, Iraq, Mexico (also on behalf of the Group of Latin American and Caribbean States), Qatar (on behalf of the Organization of the Islamic Conference), the United Arab Emirates (also on behalf of Bahrain, Kuwait, Oman, Qatar and Saudi Arabia) and Venezuela indicated their intention of making statements after the adoption of the Declaration and Programme of Action. Since this was not possible owing to time constraints, the President of the Conference suggested that these statements should be handed to the secretariat in written form and that they would be reflected in full in the report of the Conference.

22. The statement of the representative of Brazil reads as follows:

"On behalf of the Brazilian delegation, I should like to thank you, Madam President, and the people of South Africa for the warm reception and hospitality extended to us during these last days in Durban.

"We are proud of the documents we have been able to adopt. My delegation believes that the Durban Declaration and Plan of Action represent a significant step in the fight against racism, racial discrimination, xenophobia and related intolerance.

"The size and diversity of the Brazilian delegation translate the importance my country attaches to our deliberations. The consensus achieved by us here allows, inter alia, for the recognition of people of African descent and of indigenous peoples as victims of discrimination and historical misdeeds, and Brazil considers that the outcome of our negotiations regarding the issues of the past provides us with a framework for the acknowledgement of the wrongs and the expression of adequate forms of remorse that call for national affirmative and positive policies of implementation, as well as for the enhancement of international cooperation in the field. We also believe that the fight against racism, racial discrimination, xenophobia and related intolerance is the crux of our discussions here. In this vein, political questions and undertones should by no means tarnish our achievements in Durban.

"We confer the utmost importance upon the protection of the human rights of victims of aggravated and multiple forms of intolerance. We regret that many of these multiple grounds of discrimination, such as gender and disability, among others, have not been explicitly included in the final list of grounds. We deem that a clear reference to these issues in the paragraphs of the Declaration and the Programme of Action would be understood as a recognition of their relevance. Our views on sexual orientation are well-known and are reflected on the statement put forward by Ecuador and other countries.

"Last but not least, my delegation would like to express its gratitude for all the efforts deployed by Mrs. Mary Robinson and the staff of the Office of the High Commissioner for Human Rights, which were instrumental for the convening and success of this Conference. My delegation considers that our Declaration and Programme of Action constitute an enormous victory and reinforce the universality of human rights, and that they reflect clearly, accurately and undeniably our collective responsibility in the protection and promotion of human rights worldwide."

23. The statement of the representative of China reads as follows:

"The Chinese delegation would like to state the following position on the issue of history teaching in the Declaration and Programme of Action which was adopted by the World Conference against Racism.

"We hold that all States should, following the requirement of the final document of the World Conference, take concrete measures so as to ensure that their textbooks will faithfully, objectively and accurately reflect history, including that of wars of invasion which took place in Asia and other regions in the last century."

24. The statement of the representative of Iraq reads as follows:

"My country's delegation wishes to express its appreciation for the endeavours made by the participants in this Conference, and particularly those made by the host State, South Africa, to ensure the formulation of a declaration and programme of action that would serve as a guideline for mankind in its efforts to combat racism, racial discrimination, xenophobia and related intolerance. Unfortunately, however, it is noteworthy that many of the important issues concerning foreign occupation and settlement were not discussed, even though they formed an essential and intrinsic part of the agenda of this Conference. Moreover, during the Conference, a certain group adopted practices and methods designed to steer the Conference in a manner consistent with its own wishes and conducive to its own ends.

"My delegation notes, with regret, that the paragraphs of the Declaration and Programme of Action concerning the Middle East do not reflect the actual situation in the occupied Arab territories, the racist practices to which the Palestinian people are being subjected and the repression and racial discrimination from which they are suffering.

Accordingly, my country's delegation declares that it is neither a party to, nor bound by, the consensus concerning the paragraphs relating to the Middle East. I request that this be recorded in the Conference documents.

"We wish this statement to be properly reflected in the records of this Conference."

25. The representative of Mexico submitted two statements on behalf of the Group of Latin American and Caribbean States, which read as follows:

Statement on indigenous peoples

"The delegations of the countries in the Latin American and the Caribbean Group, being aware how important it is for indigenous peoples that their rights should be internationally recognized, undertake and urge all States to:

(i) Progress steadily in the application of and follow-up to the mandates and recommendations contained in the Durban Declaration and Programme of Action adopted at the close of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance;

(ii) Reaffirm the supreme importance for multi-ethnic, multicultural and multilingual societies of acknowledging the rights and full participation of indigenous peoples in States' economic, social and cultural development and in the design and execution of strategies to overcome poverty;

(iii) Make all necessary efforts to bring the negotiations on the draft United Nations declaration on the rights of indigenous peoples to a conclusion in the context of the International Decade of the World's Indigenous People.

Statement on the issue of victims

"The Group of Latin American and Caribbean States' first concern throughout the preparations, both regional and global, was recognition for the victims. In a regional setting, identifying the victims did not encounter the difficulties that have cropped up at Durban.

"As we see it, the sources of and reasons for racism, like the identification of the victims, have emerged from an objective, transparent analysis by the countries of America in Santiago of the way things are.

"Victims are not a philosophical category. They are communities, peoples, groups and individuals - of African descent, indigenous or migrants - who have suffered in the past and continue to so do under the pernicious influence of these phenomena.

"As the Group of Latin American and Caribbean States sees it, these people's situation may be aggravated by considerations of sex, age, disability, genetics, language, religion, economic status or social origin.

"Many delegations in the Group also consider that sexual orientation ought to be listed as a cause of aggravated or multiple discrimination.

"The Group would have liked to go further and press for the acceptance of all groups susceptible to racism, racial discrimination, xenophobia and related intolerance. For the sake of consensus we have made a huge effort to go along with the other regional groups.

"We are not completely happy with the final document but look on it as the starting point for a process that must necessarily be followed up through the main bodies in the worldwide system for the promotion and protection of human rights.

"We give notice that the results we have achieved are inadequate, and as a region we are prepared to go on working constructively and tolerantly with other regions of the world to eradicate racism, racial discrimination, xenophobia and related intolerance.

"We shall also make good on the commitments we made at the regional conference in Santiago."

26. The representative of Mexico also submitted a statement on behalf of Mexico, which reads as follows:

"We thank all the delegations that agreed it was necessary to clarify paragraph 27 of the draft declaration, a paragraph so sensitive for the group of Latin American and Caribbean States, for other regions and, in particular, for the representatives of indigenous groups attending this Conference. Nonetheless, Mexico repeats that, in its view, the paragraph was not necessary.

"In any event, the discussion that has taken place confirms how urgent it is to speed up work on the declaration on the rights of indigenous peoples that is currently under discussion in the Commission on Human Rights.

"President Fox's Government, endorsing the demands of Mexico's indigenous peoples, has defined a new national and international strategy towards those peoples. Last August, Mexico adopted a constitutional reform that, although insufficient, marks a significant advance towards recognition of the self-determination and autonomy of the indigenous peoples.

"Mexico, together with the group of Latin American and Caribbean States, pressed for an extensive agenda at this World Conference, as reflected in the Declaration and Programme of Action, which make a central point of recognizing indigenous peoples as such.

"We also tried to secure for indigenous peoples extensive access to the resources they need for development within a sustainable framework, and unrestricted involvement in all areas of society and at all levels of decision-making on a non-discriminatory basis.

"Mexico repeats its firm belief in respecting and recognizing all the rights of indigenous peoples in the national setting, and its Government's commitment to work with the indigenous peoples on finding solutions to the urgent problems they face.

"The foregoing is a pressing historical debt. We realize that the consolidation of a democratic State will largely depend on whether the indigenous peoples' collective project is indeed incorporated in the nation's priorities.

"Lastly, my Government wishes to state that recognizing indigenous peoples as subjects of law is an inescapable remedial step if we are to lay the foundations for the future."

27. The statement of the representative of Qatar (on behalf of the Organization of the Islamic Conference) reads as follows:

"I appeal to the Conference to consider this statement on behalf of the Organization of the Islamic Conference before the adoption of the Conference's final documents.

"The following is the legal explanation of the position taken by the members of the Organization of the Islamic Conference on some of the major themes of the Conference.

"First, with regard to paragraph 2 and paragraph 4 of the President's text, the Organization of the Islamic Conference would like to state the following:

"(i) Concerning the reference to the Holocaust in paragraph 2 of the President's text on the Middle East, the Member States of the Organization of the Islamic Conference stress the fact that the Holocaust took place in Europe and that the people and countries outside Europe do not bear any responsibility.

"(ii) As far as the reference to anti-Semitism in the President's text on the Middle East is concerned, the Member States of the Organization of the Islamic Conference stress the fact that the overwhelming majority of the Semites are Arabs.

"Therefore, I request that this statement be fully reproduced in the official records of this Conference.

"Secondly, I also request the President to state precisely to the Conference the specific placement of each paragraph of the President's text in both the final Declaration and the Programme of Action. Our understanding is that the President's text will replace all paragraphs relating to the Middle East, the Holocaust and anti-Semitism in the original text of the Declaration and Programme of Action.

"Thirdly, I also request that the statement made today by the State of Qatar on behalf of the Organization of the Islamic Conference be fully reproduced in the official records of this plenary meeting and accordingly in the report of the Conference."

28. The statement of the representative of the United Arab Emirates (also on behalf of Bahrain, Kuwait, Oman, Qatar and Saudi Arabia) reads as follows:

"In the Name of God, the Merciful, the Compassionate,

"On behalf of the delegation of the United Arab Emirates and the delegations of the State of Bahrain, the Kingdom of Saudi Arabia, the Sultanate of Oman, the State of Qatar and the State of Kuwait, we wish to thank not only the friendly Government of South Africa for hosting this Conference but also you personally for the diligent endeavours that you have made to ensure the success of its work.

"The delegations of our States have participated effectively, in collaboration with the delegations of the members of the Organization of the Islamic Conference, in the work of the Conference and its subcommittees with a view to reaching a consensus of opinion.

"In spite of the difficulties which the Conference faced in regard to many of the issues before it, our delegations continued to work, in the most diligent and sincere manner, until the last moment with a view to reaching a consensus on the text of a final document that would reflect the concerns and preoccupations of all the regional groups.

"However, notwithstanding those endeavours, the manner in which some delegations persisted in maintaining their inflexible positions and preconceptions prevented agreement from being reached on the proposals and views that had been put forward during the work of the Conference.

"While emphasizing the content of the statement made by the Organization of the Islamic Conference in the Main Committee, we also wish to point out that we cannot accept some of the concepts included in the final document and, consequently, the delegations of our States wish to make it clearly understood that:

(i) The concept of the Holocaust reflects historical events that took place in Europe. However, this does not mean that similar events have not occurred in other parts of the world. Moreover, this concept is not restricted exclusively to a particular people or group, as is clearly demonstrated by the daily racist practices that are being witnessed in the occupied Arab territories.

(ii) With regard to the concept of Semitism, it should be clearly understood that, in actual fact, the Arabs are also Semites and, therefore, no group has the exclusive right to monopolize this concept.

(iii) The final document contains wording and concepts that conflict with the provisions of the Islamic Shari'a. For this reason, we are not bound by such wording and concepts contained in that document which, therefore, shall not entail any political or legal consequences and do not oblige us to take any preventive, legislative, judicial, administrative, regulatory or other measures at the national level.

(iv) On behalf of the delegations of our States, I also request you, Madam President, to have this statement recorded and included in the official working documents of this Conference."

29. The statement of the representative of Venezuela reads as follows:

"The delegation of the Bolivarian Republic of Venezuela wishes to make the following statement, with the request that it should be included in the report of this meeting.

"Venezuela has come to this meeting with the firm belief that the international community needs a consensual final document. We therefore actively support the way in which the work of this Conference has been conducted and, in particular, Mrs. Zuma's efforts, which have been decisive for the success achieved.

"It is, however, a matter of regret that the wording of some texts and agreements reached at the Regional Conference of the Americas, held in Santiago, Chile, has not been included either in the Declaration or in the Plan of Action of this World Conference. Neither have other general paragraphs linked to difficult issues which could not form part of the texts we are now adopting. In this connection, we wish to point out that we voted in favour of not continuing the discussion of the paragraphs on which there was no consensus in order to promote the adoption of the document, since we consider that, if the discussion had continued, that would not have been possible. However, we wish to state for the record that such a vote does not prejudge our position of support for the substance of the matters referred to in those paragraphs.

"With regard to the part relating to victims, we deplore the fact that, in some cases, treatment has not been equitable for all, especially indigenous peoples. The texts do not clearly contain an apology, but we accept them on the understanding that the victims' suffering and the corresponding compensation will be covered by the reference to colonialism. If necessary, we will make additional comments when the full texts are available in Spanish.

"My delegation has joined in the consensus which has emerged at this Conference. Please accept our congratulations for the excellent work that has been done. We also express our gratitude for the hospitality that has been extended to us by the people and Government of South Africa."

30. Also at the 20th plenary meeting, the Rapporteur-General introduced the report of the Conference (A/CONF.189/L.1 and Add. 1-3). The Conference adopted the draft report and authorized the Rapporteur-General to complete the report, in conformity with the practice of the United Nations, with a view to its submission to the General Assembly at its fifty-sixth session.

31. At the same meeting, a draft resolution, submitted by the President, forwarding the report of the Conference, including the Declaration and the Programme of Action, to the General Assembly at its fifty-sixth session was adopted, without a vote, by the Conference. For the text, see chapter I, section C, resolution 2.

CHAPTER VIII. CLOSURE OF THE CONFERENCE

1. At the 20th plenary meeting, on 8 September 2001, the representative of Kenya, on behalf of the States participating in the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, introduced draft resolutions expressing their gratitude to the host country and to the United Nations High Commissioner for Human Rights. The Conference adopted the draft resolutions without a vote (for the texts, see chap. I, resolutions 3 and 4).

2. The representative of Kenya made the following statement on behalf of the Group of African States:

> "Africa had a rendezvous with history and I dare say that rendezvous was productive, constructive and unforgettable. We believe we made history in Durban and rightfully so. After all, this great nation of South Africa reflects in the most incredible manner the evils of racism and the wealth of diversity.
>
> "It is therefore fitting that it was in South Africa that the international community declared and recognized slavery and the slave trade, especially the transatlantic slave trade, to be a crime against humanity; not today, not tomorrow, but always and for all time.
>
> "Nürnberg made it clear that crimes against humanity are not time bound. It is also significant that now an apology and appropriate remedial, as per paragraph 119, are expected and in order.
>
> "Today we honour the memory of those who were subjected to the most horrendous and inhuman treatment ever."

3. The representative of India made the following statement on behalf of the Group of Asian States:

> "I take the floor on behalf of the Asian Group. We came to this picturesque city of Durban assured in our belief that there could be no better guarantee of the success of this World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance than the friendly land of South Africa whose people waged a victorious struggle against the most abhorrent manifestation of racism - apartheid. We will take leave of the hospitable people of Durban with our faith vindicated.
>
> "We were inspired by the vision outlined by President Mbeki in his inaugural address. And you, Madam President, have in an exemplary way, lead us in our endeavour to translate that vision into statements of principles and measures for converting the noble ideas that constitute the mandate of this Conference into action. You have been tireless in your efforts to bring differing viewpoints together and evolve a consensus. You have been patient and tolerant. You have been accessible and available.

"On behalf of the Asian Group and on behalf of my delegation, I wish to thank you and the Government and people of South Africa for the enormous effort that has been put into ensuring the success of this World Conference. We would also like to thank Mrs. Mary Robinson, Secretary-General of the Conference, for her untiring efforts. We shall work together with your country and others in continuing in our united and global resolve to combat racism, racial discrimination, xenophobia and related intolerance."

4. The statement of the representative of Slovakia (on behalf of the Group of Eastern European States) reads as follows:

"On behalf of the Eastern European Group, I would like to join my colleagues in expressing our gratitude and appreciation to you, Madam Minister, for your efforts to bring the Conference to a successful outcome and for the leadership that you have shown, especially in the crucial moments of the Conference.

"I would like to thank the President and the Government of the Republic of South Africa for their initiative in hosting the Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and for the excellent organization and the cooperation of all the South African people. Our special thanks go to the High Commissioner, Mrs. Robinson, who acted as the Secretary-General of the Conference, for her personal input to the whole process; to the Executive Coordinator, Mr. Singh, and to the whole staff.

"We appreciate the cooperation with the regional coordinators and with all the delegations and express our satisfaction that the spirit of compromise has prevailed until the end.

"Last, but not least, I would like to thank both the conference services and interpreters for their endurance and hard work."

5. The representative of Mexico made the following statement on behalf of the Group of Latin American and Caribbean States (GRULAC):

"It is an honour for me to speak on behalf of the delegations of the countries of Latin America and the Caribbean. For the countries in my region, the Durban Conference is without any doubt a watershed in mankind's struggle for equality.

"We have adopted unprecedented documents. We have made a critical evaluation of the past. We have learned lessons from it. We have recognized - and recognize ourselves in - the shortcomings and problems we are still facing today. We have succeeded in identifying the components of a sound process of reconciliation and adopted measures to promote and establish a new culture for the elimination of racism, racial discrimination, xenophobia and related intolerance.

"Please allow me once again to express the deep appreciation of the Group of Latin American and Caribbean States (GRULAC) for the hospitality of the Government of South Africa and for the warmth with which we have been received and cared for in Durban.

"I wish to place on record our sincere and deep appreciation of your leadership. Your talent and political and diplomatic skills were key factors in arriving at the results we have achieved.

"I also wish to thank the High Commissioner for Human Rights for her untiring efforts to increase worldwide awareness of the Conference and for her abiding optimism.

"On behalf of GRULAC, I would like to express appreciation for the work carried out by those in charge of the working groups, the Drafting Committee and the Main Committee, as well as by the facilitators. We thank all of them for their perseverance and patience.

"GRULAC also thanks the staff of the secretariat and Conference Services for the support they have provided for delegations during the discussions at this Conference.

"All our hard work has paid off. The members of GRULAC are convinced that the Durban agreements will enable us to promote and bring about major changes - changes in laws, policies and how priorities are set, but, above all, changes in the attitudes and mentalities of countries, societies and individuals."

6. The representative of Belgium made the following statement on behalf of the European Union:

"I have the honour to speak on behalf of the European Union. The Central and Eastern European countries associated with the European Union - Bulgaria, Estonia, Hungary, Latvia, Lithuania, Poland, Czech Republic, Romania, Slovakia and Slovenia and the associated countries - Cyprus, Malta and Turkey, align themselves with this declaration.

"The European Union welcomes the adoption by consensus of the final documents of this Durban Conference.

"We commend you, Madam President and Madam the Secretary-General of the Conference, for the giant effort you have made in securing general agreement on this Durban Declaration and Programme of Action.

"I would like first to add the following precisions:

'The Declaration and the Programme of Action are political, not legal documents. These documents cannot impose obligations, or liability, or a right to compensation, on anyone.

'Nor are they intended to do so. In particular, nothing in the Declaration or the Programme of Action can affect the general legal principle which precludes the retrospective application of international law in matters of State responsibility.

'Furthermore, the European Union has joined consensus in a reference to measures to halt and reverse the lasting consequences of certain practices of the past. This should not be understood as the acceptance of any liability for these practices, nor does it imply a change in the principles of international development cooperation, partnership and solidarity. It will not change the nature of current national and international development cooperation criteria.'

"I request that this statement be reflected verbatim in the report of the Conference.

"The Durban Conference has been a unique opportunity for Europe to make its voice heard on a topic of the utmost importance. We all know that racism and intolerance are daily realities throughout the world. Combating the scourge of racism and xenophobia is thus a vital task for every one of us.

"That is why the European Union was resolved from the outset to spare no effort to help make Durban a success.

"There have already been a number of achievements as a result of the holding of the Conference. Thanks to this event, thousands of voices, the voices of men, women and children, have been able to make themselves heard, strengthening our determination to fight this evil.

"Durban has also moved forward thinking about the causes and origins of racism. We have, inter alia, dealt at length here with the injustices of the past. And rightly so. The European Union acknowledges and deplores the immense suffering caused by past and contemporary forms of slavery and the slave trade wherever they have occurred and the most reprehensible aspects of colonialism.

"Durban has thus been an opportunity to look our common past in the face. Some are calling that an expression of regret, others an expression of remorse and still others an expression of apologies. The most important thing of all is a willingness to close the darkest chapters of our history in order to be able to build a new relationship based on mutual respect, solidarity and partnership."

7. At the same meeting, a written statement by H.E. Mr. Thabo Mbeki, President of South Africa, was presented to the Conference. After concluding statements by H.E. Mrs. Nkosazana Dlamini Zuma, Minister for Foreign Affairs of South Africa and President of the Conference, and by Mrs. Mary Robinson, United Nations High Commissioner for Human Rights and Secretary-General of the Conference, the President of the Conference declared the Conference closed. For the texts of the concluding statements, see annex IV.